

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

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Deputy Director  
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KEITH KAMITA  
Deputy Director  
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No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 2226  
RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM  
by  
Jodie F. Maesaka-Hirata, Director  
Department of Public Safety

House Committee on Public Safety and Military Affairs  
Representative Henry J.C. Aquino, Chair  
Representative Ty Cullen, Vice Chair

Thursday, February 9, 2012, 9:00 a.m. to 12:00 p.m.  
State Capitol, Conference Room 224

Chair Aquino, Vice Chair Cullen, and Members of the Committee:

The Department of Public Safety (PSD) supports House Bill (HB) 2226 and its intent to assist crime victims through an automated information and notification system.

PSD believes that an automated victim notification system is already incorporated in HB 2226, which would safeguards victim's rights and issues through Hawaii's Justice Reinvestment Initiatives.

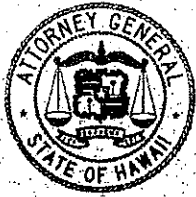
The issues associated with victims of crimes is the source of numerous and diverse opinions, solutions, and strategies. Regardless, we believe that the objectives for victim's rights are best serviced through strength in diversity, focused on multi-faceted goals, and integrated together to achieve the best approach for assisting victims of crimes. The goal is to hold offender accountable for not only the

crime committed, fulfilling restitution obligations, and the needs of the victim through an automated victim notification system. As Hawaii rises to its own challenges with inmate reentry, opportunities for coordinating victim's notification also draws attention to an overarching, more integrated and coordinated response to corrections based victim services. The implementation of a Statewide Automated Victim Information and Notification (SAVIN) system would best be served through PSD in partnership with the Crime Victim Compensation Commission.

Our Department currently provides victims and agency staff with a technologically enhanced system providing continuous access to vital information regarding offenders and their custody status through SAVIN. This service is available day or night, around-the-clock to provide an extra peace of mind to victims that a particular offender is in custody.

For this reason, I humbly request support for SAVIN through HB 2226.

Thank you for the opportunity to testify on this matter.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-SIXTH LEGISLATURE, 2012**

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**ON THE FOLLOWING MEASURE:**

**H.B. NO. 2226, RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM.**

**BEFORE THE:**

**HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

**DATE:** Thursday, February 09, 2012 **TIME:** 9:00 a.m.

**LOCATION:** State Capitol, Room 309

**TESTIFIER(S):** David M. Louie, Attorney General, or  
Julie Ebato, Crime Prevention and Justice Assistance Division Administrator

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Chair Aquino and Members of the Committee:

The Department of the Attorney General supports this bill to continue and sustain the Statewide Automated Victim Information and Notification System (SAVIN) that is administered by the Department of Public Safety.

The bill creates a single point of shared services for victims to learn about the status of an offender convicted in Hawaii, from the point of arrest and incarceration, through disposition, release, and community supervision. This bill has elements consistent with other state SAVIN programs. The anticipated impact of the program is that SAVIN increases the safety of the victim and provides them with timely and accurate information that both enhances the victims' ability to protect themselves and ensures that they are able to fully participate in the criminal justice process if they so choose.

The Department of the Attorney General provided the initial start-up funds for Hawaii's SAVIN program with a \$390,000 grant from the U.S. Department of Justice, Victim of Crime Grant, which the Department administers. We feel that SAVIN provides a critical service to victims and their families. We respectfully ask the Committee to pass this bill.

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**CRIME VICTIM COMPENSATION  
COMMISSION**

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Chair

**L. DEW KANESHIRO**  
Commissioner

**THOMAS T. WATTS**  
Commissioner

**PAMELA FERGUSON-BREY**  
Executive Director

**TESTIMONY ON HOUSE BILL 2226  
RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

by

**Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission**

**House Committee on Public Safety and Military Affairs  
Representative Henry J.C. Aquino, Chair  
Representative Ty Cullen, Vice Chair**

**Thursday, February 9, 2012; 9:00 AM  
State Capitol, Conference Room 309**

Good morning Chair Aquino, Vice Chair Cullen and Members of the House Committee on Public Safety and Military Affairs. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify before you today. The Commission strongly supports the passage of House Bill 2226.

This bill amends Chapter 353, Hawai'i Revised Statutes, by creating a new part establishing a permanent statewide victim notification system in the Department of Public Safety (PSD), a governance committee to advise PSD on the implementation of the statewide victim notification system, and a special fund to underwrite the cost of the statewide victim notification system.

The Commission was established in 1967 to mitigate the suffering and financial impact experienced by victims of violent crime by providing compensation to pay un-reimbursed crime-related expenses. Many victims of violent crime could not afford to pay their medical bills, receive needed mental health or rehabilitative services, or bury a loved one if compensation were not available from the Commission.

Hawai'i Revised Statutes, Section 801D, provides crime victims and witnesses with the right, upon request, to be notified by PSD of changes in the custody status of the offender. Prior to 2008, PSD provided a manual notification through the county victim assistance programs. This manual notification system was not uniformly applied in each of the counties, was only available during regular business hours, and resulted, in some cases, with untimely notification made to victims and witnesses.

Numerous crime victims were unable to exercise their right to speak at the offender's parole hearing, were traumatized when they were not notified timely in advance about the offender's release, or were

endangered and unable to plan for their safety when they did not receive timely advance notification of the offender's release or escape.

In order to address these concerns, PSD applied for federal grant funds to establish a statewide automated victim notification system (SAVIN). In 2008, PSD received federal funds to establish a SAVIN Program in Hawai'i. Since the SAVIN Program was established in Hawai'i, thousands of crime victims, witnesses, survivors, victim service providers, law enforcement agencies, and concerned members of the public have automatically received timely information in advance of changes in an offender's custody status. Without a continuing funding source, the SAVIN Program in Hawai'i is in danger of ending when federal funding runs out in 2012.

The Commission serves on the SAVIN Governance Committee, which guides the SAVIN Program in Hawai'i. The Governance Committee is comprised of county victim service providers and advocates, crime victims, technology experts, and members of the criminal justice community. In FY 2011, the Commission requested technical assistance from the National SAVIN Training and Technical Assistance Project to assist the Governance Committee and other stakeholders with developing a strategic plan to address two critical issues facing SAVIN in Hawai'i:

1. Sustainability of the SAVIN program in Hawai'i in light of current State budget constraints and the pending expiration of federal grant funds in 2012; and
2. Appropriate placement of SAVIN within the State government. Various Governance Committee members had concerns about which State agency should house the SAVIN Program.

A series of Hawai'i strategic planning sessions were conducted in March 2011 by Anne Seymour from the National SAVIN Project Team. The resulting report and recommendations acknowledged the importance of the SAVIN Program to victims and public safety in Hawai'i, and included recommendations to draft legislation to ensure that the SAVIN Program in Hawai'i continues after federal funding expires, and to place the permanent SAVIN Program in Hawai'i with PSD.

The proposed bill will enable the SAVIN Program to continue in Hawai'i by providing a dedicated funding source through the establishment of a special fund. The bill provides a funding source from inmate phone usage revenue and a surcharge against inmate commissary purchases. Revenue from these funds is exempted from the assessments in Section 36-27 and 36-30, which will help to ensure sufficient funding for the SAVIN Program to protect victims and witnesses.

Another important aspect of the bill is the establishment of a SAVIN Governance Committee. The establishment of a SAVIN Governance Committee is an essential element of a successful Program because of the high degree of cooperation in decision-making required by, and among, SAVIN providers. The Bureau of Justice Assistance (BJA) guidelines and standards for planning, implementing and operating effective SAVIN Programs, recommend that SAVIN Programs be based on victim-focused principles of victim/survivor safety, confidentiality, and autonomy. The BJA guidelines note that:

*Governance is the key to a successful SAVIN Program and provides the environment for collaboration among the many different stakeholders who must work together to create and operate a SAVIN Program. By using these governance standards, each state will maintain the balance between agency-level decision-making and broad-based input from the participants and users of the SAVIN Program, including the most important stakeholders which are crime victims and survivors.*

The SAVIN Program in Hawai`i is also an essential element of the proposed Justice Reinvestment Initiative (JRI). The ability of crime victims to have input in decision making about the appropriateness of an offender's release, and the impact of the offender's release on the victim's safety, as well as on the safety of the public, is dependent on timely notification to the crime victim. The SAVIN Program will work hand-in-hand with other JRI proposals to increase victim and public safety.

Thank you for providing the Commission with the opportunity to testify in strong support of House Bill 2226.

WRITTEN ONLY

TESTIMONY BY KALBERT K. YOUNG  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
STATE OF HAWAII  
TO THE HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS  
ON  
HOUSE BILL NO. 2226

February 9, 2012

RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM

House Bill No. 2226 requires the Department of Public Safety to establish a statewide automated victim information and notification system. The system will automatically notify a registered victim or concerned member of the community when there are certain changes in the status of an offender in the Department of Public Safety's custody. House Bill No. 2226 creates the Automated Victim Notification System special fund to defray costs associated with operating the system. The fund would be exempt from central service assessments and generate revenues through a 4% surcharge on items purchased by inmates at a correctional facility commissary, revenue from the provision of inmate telephone services, and interest/investment earnings. The bill appropriates an unspecified sum from the special fund for FY 13 to develop the new system.

The Department of Budget and Finance takes no position on the rational validity of developing an automated victim information and notification system. However, as a matter of general policy, the department does not support the creation of any special fund which does not meet the requirements of Section 37-52.3 of the Hawaii Revised Statutes. Special or revolving funds should: 1) reflect a clear nexus

between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. In regards to House Bill No. 2226, it is difficult to determine if the new fund will be self-sustaining. The department also further recommends against any exemption from the central services assessment as a matter of financial consistency to administrate and cover the cost of managing the financial accounting required of such an undertaking.

I encourage the Legislature to scrutinize the fiscal and operational plan for this program to ensure that it does conform to the requirements of Section 37-52.3, Hawaii Revised Statutes.



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**HAWAII PAROLING AUTHORITY**  
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BERT Y. MATSUOKA  
CHAIR

JOYCE K. MATSUMORI-HOSHIJO  
MEMBER

MICHAEL A. TOWN  
MEMBER

TOMMY JOHNSON  
ADMINISTRATOR

No. \_\_\_\_\_

TESTIMONY ON HOUSE BILL 2226  
RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM

BY

HAWAII PAROLING AUTHORITY  
Bert Y. Matsuoka, Chairman

House Committee on Public Safety and Military Affairs

Representative Henry J. C. Aquino, Chair  
Representative Ty Cullen, Vice Chair

Thursday, February 9, 2012; 9:00 a.m.  
State Capitol, Conference Room 309

Chair Aquino, Vice Chair Cullen and Members of the Committee:

The Hawaii Paroling Authority (HPA) appreciates the legislature's interest in requiring the Department of Public Safety to establish an automated victim notification system and support HB 2226.

The HPA believes that such a system already exists and was established by the Department of Public Safety using federal funding from both, the Violence of Crime Act (VOCA) and the Victim Information and Notification Everyday (VINE) grants. The system developed and implemented is known as the Hawaii Statewide Automated Victim Information and Notification (Hawaii SAVIN) system.

This measure seeks to establish a special fund that would provide the necessary funding and required staffing to continue the Hawaii SAVIN system. The HPA fully supports this measure.

Thank you for this opportunity to provide testimony on this matter.



## HOUSE OF REPRESENTATIVES

STATE OF HAWAII  
STATE CAPITOL  
415 SOUTH BERETANIA STREET  
HONOLULU, HAWAII 96813

To: **COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS**

Representative Henry J.C. Aquino, Chair

Thursday, February 9, 2012

9:00 a.m.

Room 309

**STRONG OPPOSITION for HB2226- RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

From: Representative Faye P. Hanohano

Aloha Chair Aquino, Vice Chair Cullen and Members of the Committee!

As a retired Adult Correction Officer, I am writing in STRONG OPPOSITION for HB2226- Relating to an automated victim notification system. This bill is a tax on families that send monies to their loved ones, families or friends in the correctional facilities. This bill is Not Needed and should be held by the committee.

Mahalo for this opportunity to share my mana'o.

DEPARTMENT OF THE PROSECUTING ATTORNEY  
**CITY AND COUNTY OF HONOLULU**

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FIRST DEPUTY PROSECUTING ATTORNEY

**THE HONORABLE HENRY C. AQUINO, CHAIR  
THE HONORABLE TY CULLEN, VICE CHAIR  
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

**Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawai'i**

Thursday, February 7, 2012

**RE: HOUSE BILL 2226; RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

Good morning Chair Aquino and members of the Public Safety and Military Affairs Committee, the Department of the Prosecuting Attorney provides the following testimony **in support of H.B. 2226**, which proposes to establish a statewide automated victim notification system.

As provided for in H.R.S. CHAPTER 801D our Department currently participates through a series of cooperative agreements with the Department of Public Safety in the process of notifying victims of changes in the custody status of inmates whose victims have submitted a written request for notification. The process, at times inefficient and complex, does function to fulfill the basic purposes of H.R.S. 801D. However, this bill represents a commitment to an automated victim notification system, which although we already have an operational system in place, provides hope that this system can now become a permanent foundation upon which we can build.

Initially the Department of the Attorney General committed federal VOCA funds to help underwrite the start up costs for a notification system. And in a fashion all too uncommon in government today, the Department of Public Safety bravely volunteered their resources and commitment to making this system a reality in February of 2009. They have sought and successfully received U.S. Department of Justice grants, which have underwritten the costs of the system since its inception. Unfortunately federal funding for Automated Victim Notification Systems was designed to serve as start up funding to get the program of the ground. While this funding has been effective in the development of a very effective system, the time has come for a State funding commitment.

Although the anticipated implementation of our statewide notification system is an incredibly important accomplishment, the continuing availability of funding to cover the ongoing operational cost of this system is, however, uncertain. This uncertainty remains one of the major

obstacles to providing Hawaii's crime victims with the commitment to victims' rights and services that is sorely needed. The passage of this measure can lay the foundation for a sustainable program that will insure that the future notification needs of crime victims can be met. S.B. 2581 provides both an appropriate funding mechanism (an inmate commissary surcharge) and a formal statutory framework that offers to victims a current and future reliable source of information that can contribute significantly to victim safety and piece of mind.

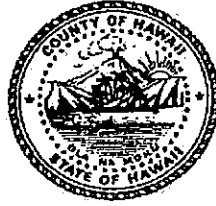
One critical piece of this bill is the provision in Section 1 (on pages 5-7) that establishes an Automated Victim Notification System Governance Committee. This committee, made up of a cross section of representatives from victim services agencies, victim witness assistance programs, and a victim or surviving family member will insure that the Notification System is accessible and user friendly for victims. It should also insure that the Department of Public Safety will receive ongoing victim centered guidance in the operation of the system. Properly implemented this program will become a cornerstone for victims' rights and services in Hawaii and a model for other states to emulate.

The appropriation for future funding, in Section 4 of the bill, is an important piece of this proposal, as we face rapidly dwindling Federal funding. This funding mechanism can ensure that this resource becomes a permanent fixture in our expanding gallery of crime victim services. A failure to establish a sustainable fiscal foundation may result in the hopes of victims who have received the benefits of this program being dashed and will leave a legacy of cruel disappointment rather than of a great accomplishment.

In conclusion, we urge your strong support for H.B. 2226. Thank you for your time and consideration

CHARLENE Y. IBOSHI  
PROSECUTING ATTORNEY

DALE A. ROSS  
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OFFICE OF THE PROSECUTING ATTORNEY

THE HONORABLE HENRY J.C. AQUINO, CHAIR  
THE HONORABLE TY CULLEN, VICE CHAIR  
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

Twenty-sixth State Legislature  
Regular Session of 2012  
State of Hawai'i

Hearing on Thursday, February 9, 2012  
9 a.m., Conference Room 309

**RE: H.B. 2226, RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

Chair Aquino, Vice Chair Cullen, and Members of the House Committee on Public Safety and Military Affairs:

I am a career prosecutor, currently the First Deputy Prosecutor for Hawai'i County. In the past, the notification system was unreliable and poor. It depended on a manual system of sending a request for notification then receiving a call. The system worked poorly and often, we would be the last to know that a defendant was released from jail. Vinelink was revolutionary. It allows us to obtain consistent timely information regarding a change in status for the jailed defendant. I personally check the system or have signed up for notification on several occasions. In addition to being able to let vulnerable victims know, we now have a reliable method of knowing whether or not witnesses or other persons of interest are incarcerated, without having to call the jail and speak to personnel. This is important when, for example, there is an outstanding bench warrant or subpoena for a person who is in custody for unrelated reasons. In the past, I would have to call the jail, speak to an officer, who would then look up the individual and tell me whether or not the person was in their facility. Vinelink can check all Department of Public Safety facilities at the same time.

Please continue funding this important service.

Very truly yours,  
Dale Yamada Ross  
First Deputy Prosecuting Attorney  
Hawai'i County

CHARLENE Y. IBOSHI  
PROSECUTING ATTORNEY

DALE A. ROSS  
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**THE HONORABLE HENRY J.C. AQUINO, CHAIR  
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HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

**Twenty-sixth State Legislature  
Regular Session of 2012**

Hearing on Thursday, February 9, 2012  
9 a.m., Conference Room 309

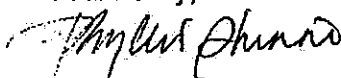
**RE: H.B. 2226, RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

Chair Aquino, Vice Chair Cullen, and Members of the House Committee on Public Safety and Military Affairs:

I have been with the Victim Assistance Unit in the Hawai'i County Office of the Prosecuting Attorney for 28 years. Our unit receives many desperate requests from crime victims for information about the person who caused them harm. Notification has evolved from a haphazard, informal system to a legislatively mandated process that required the Department of Public Safety to respond to requests from victims. During that era, it was common for our office to get calls from DPS after an inmate was released, or after hours or on weekends when the office was closed. Despite written requests from the victim specifying direct notification, all too often no effort was made by DPS to notify the victim directly. The burden for timely notice fell on the Prosecutor's Office, but having to rely on people as a source of information proved time consuming and inconsistent.

A few years ago, the State of Hawai'i finally implemented the Statewide Automated Victim Information Notification (SAVIN) system, thanks to the Department of the Attorney General's guidance, a grant from the Victims of Crime Act, and key people in different departments who understood that this system is a valuable tool for victim and public safety. From our perspective, there is no downside to continuing SAVIN in our state and we sincerely hope that the Legislature will find a way to support its continued existence and availability to the people of Hawai'i.

Yours truly,

  
Phyllis Shinno  
Program Coordinator

CHARLENE Y. IBOSHI  
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**THE HONORABLE HENRY J.C. AQUINO, CHAIR  
THE HONORABLE TY CULLEN, VICE CHAIR  
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

**Twenty-sixth State Legislature  
Regular Session of 2012  
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Hearing on Thursday, February 9, 2012  
9 a.m., Conference Room 309

**RE: H.B. 2226, RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

Chair Aquino, Vice Chair Cullen, and Members of the House Committee on Public Safety and Military Affairs:

My name is Irene Bender and I have been a Victim Assistance Counselor at the Hawaii County Office of the Prosecuting Attorney for over seventeen years. One of my duties is to inform victims of crime about the status of their cases. This is especially important with regard to safety issues in violent crimes. Frequently a victim of a violent crime has valid concerns for their safety given the volatile nature of the incident and relationship to the offender. It is difficult for a person who has been harmed to regain a sense of equilibrium given that their life has been turned upside down. It can be especially helpful to know the whereabouts of the person who has hurt them so they can begin to piece their life back together again. Should the victim be notified that the offender is to be released into the community he or she can take precautionary measures to ensure their safety. Knowing the status of the offender allows the victim to regain a sense of justice and peace of mind.

Prior to the Vinelink system available I rarely got timely information. For offenders who were in prison my office would receive a letter from the Department of Public Safety some time prior to the inmate's release. The letter did not provide the actual date of release. It was not addressed to me or the assigned deputy prosecutor; rather it was addressed to my office where it would be circulated grouped with many other similar letters for other inmates. If somehow I missed it, if I was on vacation or simply overlooked it, I would be unaware that the inmate was to be released.

For offenders in jail on the island of Hawaii, victim counselors would fax requests to the jail asking that the victim and assigned victim counselor be informed of an

inmate's release from custody. Whether they were able to contact us would depend on the availability of staff. Frankly, in my early years as a victim counselor the personnel at the jail were not consistent in providing notification. They were understaffed and many of the corrections officers were working overtime to cover the workload. Notification was not a priority. As I was not available on weekends or holidays I would refer victims to call the jail based on their level of concern to ask whether an inmate was in or out of custody. This may have caused the jail staff to have to field numerous additional phone calls added to their already stretched resources. It was a frustrating and frightening system with pitfalls and disappointments.

The Vinelink system has changed all of that. Victims can register to be notified by phone or email. This gives them a sense of security needed for psychological well-being and a safe life. I am able to register for all of the offenders on my case load and to refer victims and their families to Vinelink with confidence that the information they are entitled to will be provided to them in a timely manner. We no longer have to worry about a hit and miss approach to victim notification thanks to Vinelink.

Thank you for reviewing this letter and for making the right decision to continue financial support of this essential service.

J. Irene Bender  
Victim Assistance Counselor



CHARLENE Y. IBOSHI  
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**OFFICE OF THE PROSECUTING ATTORNEY**

**THE HONORABLE HENRY J.C. AQUINO, CHAIR  
THE HONORABLE TY CULLEN, VICE CHAIR  
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

**Twenty-sixth State Legislature  
Regular Session of 2012  
State of Hawai'i**

Hearing on Thursday, February 9, 2012  
9 a.m., Conference Room 309

**RE: H.B. 2226, RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

Chair Aquino, Vice Chair Cullen, and Members of the House Committee on Public Safety and Military Affairs:

I am a Victim/Witness Counselor for the Office of the Prosecuting Attorney in Hilo, Hawaii, and I am writing in support of House Bill 2226. I am a current user and supporter of VINElink, the automated victim notification system. I currently use VINElink anywhere between 2 – 10 times a week. It is a user friendly system that allows me to quickly access offender status information. Not only do I use it personally, but I refer most of my victims to this system as well. As a victim counselor, one of the most frequently asked questions from victims is "will I be informed if the defendant is released". I can't tell you how rewarding it is to tell them "yes!", and then to share with them how easy it is for them to access this system. Knowing that there is a system in place to provide them with this information helps relieve a lot of anxiety for the victim.

It is important to remember why this system was created – to create a safety net for victims. We have come along way to support victim rights in this nation, and VINElink is one of the highlights. It is important that we continue to fund this program and to give victims the right to access information regarding an offender's status while incarcerated.

Thank you for your consideration,  
Deborah Chai  
Victim/Witness Counselor

CHARLENE Y. IBOSHI  
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Testimony on HB 2226, AUTOMATED VICTIM NOTIFICATION SYSTEM

House Committee on Public Safety & Military Affairs

Chair: Rep Henry J. C. Aquino

Vice Chair: Ty Cullen

Thursday, February 09, 2012, 9 am

Conference Room 309

Good morning Chair Aquino and Vice Chair Cullen and Committee members. I am Jane Huntington, Victim/Witness Counselor for the Office of the Prosecuting Attorney for the County of Hawaii. I am testifying in strong support of HB 2226.

As a Victim Counselor in the Kona community I interact with many victims who had been living in fear of those who perpetrated crimes against them. They continue to call me long after the cases have been sentenced and our files closed in this office because they still suffer from the anxiety of knowing that the defendant will be released and they want to, at a minimum, prepare for it. The Automated Victim Notification System helps to relieve some of that anxiety by giving them a way of knowing where the defendant is and when he or she is released. If, indeed, knowledge is power, then this system returns some power to people who have often been made powerless by crime.

This system helps us as counselors to do our job more efficiently. It relieves us of many man hours that would be otherwise spent tracking down information that is now available to us at our fingertips. We are able to offer our victims that do not have an in-home computer or a stable phone number up to date, accurate information.

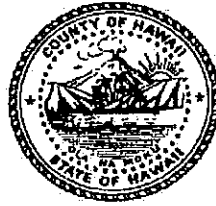
It seems only just that the offenders themselves should pay for this service through a surcharge on their commissary purchases and revenue on their telephone usage. The Automated Victim Notification System is an important asset to the criminal justice system.

Thank you for your attention

*Jane Huntington*

CHARLENE Y. IBOSHI  
PROSECUTING ATTORNEY

DALE A. ROSS  
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**OFFICE OF THE PROSECUTING ATTORNEY**

**THE HONORABLE HENRY J.C. AQUINO, CHAIR  
THE HONORABLE TY CULLEN, VICE CHAIR  
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

**Twenty-sixth State Legislature  
Regular Session of 2012  
State of Hawai'i**

Hearing on Thursday, February 9, 2012  
9 a.m., Conference Room 309

**RE: H.B. 2226, RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

Chair Aquino, Vice Chair Cullen, and Members of the House Committee on Public Safety and Military Affairs:

I am a Victim Assistance Counselor with Hawaii Island's Office of the Prosecuting Attorney. My job largely entails working with victims of felony violent crimes.

I am writing in support of funding for the Victim Information Notification System.

Since the inception of VINE / SAVIN, I have utilized this service on numerous occasions and find it to be an extremely valuable tool. The victims and their families whom I deal with are immensely grateful that such a service is available and at no cost to them.

When a person is victimized, no matter what the crime, that person loses control of a part of his or her life. A victim often feels helpless, terrorized and fearful, mainly fear of the "unknown". There are so many unknowns: when will the Defendant be released from incarceration, will the Defendant and his/her family retaliate, will the Defendant remember who they are, where they live, etc.

VINE provides knowledge, thereby giving some measure of control back to victims and their families. More importantly, VINE gives victims peace of mind. Until notification is received of a Defendant's release, victims can sleep knowing that the Defendant is incarcerated and will not be coming to kill or hurt them, can live in their community without having to constantly look over their shoulder, can live their lives for a while without FEAR. Being able to relax is a tremendous opportunity for the healing process to begin.

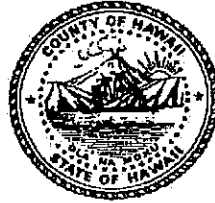
VINE also tells victims that they are important and worthy of remembrance. Although it may be years after the crime has occurred and the notifications are automated, these notifications acknowledge and validate their victimization. The crimes perpetrated against innocent people shape and change their lives. Victims and their families never forget what happened to them. Victims should not be forgotten.

Thank you for taking the time to read and consider my input.

Edythe Maeda

CHARLENE Y. IBOSHI  
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**OFFICE OF THE PROSECUTING ATTORNEY**

**THE HONORABLE HENRY J.C. AQUINO, CHAIR  
THE HONORABLE TY CULLEN, VICE CHAIR  
HOUSE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS**

**Twenty-sixth State Legislature  
Regular Session of 2012  
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Hearing on Thursday, February 9, 2012  
9 a.m., Conference Room 309

**RE: H.B. 2226, RELATING TO AN AUTOMATED VICTIM NOTIFICATION SYSTEM**

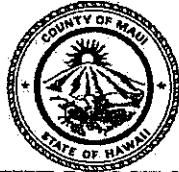
Chair Aquino, Vice Chair Cullen, and Members of the House Committee on Public Safety and Military Affairs:

As a Victim/Witness Counselor dealing primarily with victims of domestic violence, VINE is practically a daily ritual. I am able to assist victims by walking them through the registration process at the website online or I am able to sign them up using their telephone number. Both work very well as some victims are not comfortable with a computer or may have to be careful with the websites they access online if and when the offender gets out. Knowing that the abuser is locked away for some time and that they will be alerted when any kind of movement occurs with him, is a huge relief. This is a comfort and sense of security for many victims who may need it even just one day to get away.

Just recently, I had a victim who had a ticket to fly away to freedom. She needed to make a clean and legal break. Though this abuser was no longer with her and had moved on to his next victim, he still had some control over her due to the fact that they had a child together. He used the system to his advantage and maintained his hold on her. He had abused her many times and violated the protective order on countless occasions; he served his time and was released. When she signed up for VINE, she was informed each time he was released on bail or otherwise, including the last case she had with him. Her mother, a champion advocate for her, signed up for notifications as well, and so did the foster mother of one of the perpetrator's children. When he abused his new girlfriend and was placed in custody, VINE informed them before I got to work that morning; consequently before I got a chance to tell her myself. She knew then that she had a few days to get her things packed and not run the risk of having the 4 yr old slip about how come mommy is giving her toys to Goodwill. For her, it was a matter of life and death and VINE kept her emotionally sound knowing that she would

know the minute he was released. She left town on January 11, 2012. I can only imagine the big smile on her face when she heard the automated voice at the other end of her phone saying he "was released due to sentence served." The date was January 12, 2012. She was in another state...

Ilona Rolack  
Victim Assistance Counselor  
Hawai'i County Prosecutor's Office



**DEPARTMENT OF THE PROSECUTING ATTORNEY**  
**VICTIM/WITNESS ASSISTANCE DIVISION**  
**COUNTY OF MAUI**  
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First Deputy Prosecuting Attorney

LENA LORENZO  
Director

Counselors  
PAULA HEISKELL  
RUTH MORI  
GERALD POBLETE  
CINDY LEE  
SALLY ENGLERT

February 8, 2012

THE HONORABLE HENRY J.C. AQUINO, CHAIR  
COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012  
Thursday, February 9, 2012, 9:00 a.m.

RE: HB 2226  
Relating to an Automated Victim Notification System

We are providing testimony in support of HB 2226, Relating to an Automated Victim Notification System. This bill is designed to establish the VINE/SAVIN as a permanent provision in the Hawaii Revised Statutes and would insure that the Department of Public Safety continues to fund the program.

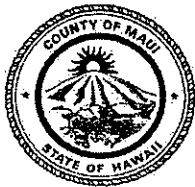
As victim service providers, we have discussed the need of an automated victim notification with my colleagues for about a decade before the Statewide Automated Victim Information Notification (SAVIN) became a reality in February 2009. At the Maui Victim/Witness Assistance Division, we assist our victims register or check on inmates' status. Victims are very grateful they are able to register and check on inmates status on their own time. Oftentimes, victims think they are a bother to the criminal justice system staff assisting them if they keep calling for information. Victims are already missing a sense of safety that have been stolen from them so in registering and checking electronically and confidentially on their own, automated notification brings back a sense of control and empowerment.

Timely notification of victims also alleviates unnecessary fear and anxiety. In the past Department of Public Safety personnel would notify the county victim/witness assistance programs who in turn would notify the victims. This is not a reliable method as there were cases when no notifications were made. There were occasions when the victims would see the inmates out in the community without prior notification. Therefore, timely notification is a must so the victim can have the time to safety plan when an inmate is released.

To not provide funding or discontinue SAVIN would be a major setback for the strides that have been made involving victim safety. How do we put a value to the peace of mind and a sense of safety to the victims and also to the community? We respectfully urge you to support HB 2226.

Thank your for your time and consideration.

CHARMAINE TAVARES  
Mayor



BENJAMIN M. ACOB  
Prosecuting Attorney

PETER A. HANANO  
First Deputy Prosecuting Attorney

LENA LORENZO  
Director

Counselors  
PAULA HEISKELL  
RUTH MORI  
GERALD POBLETE  
CINDY LEE

**DEPARTMENT OF THE PROSECUTING ATTORNEY  
VICTIM/WITNESS ASSISTANCE DIVISION**

COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793  
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HOUSE OF REPRESENTATIVES  
THE TWENTY-SIXTH LEGISLATURE  
REGULAR SESSION OF 2012

COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Henry J.C. Aquino, Chair  
Rep. Ty Cullen, Vice Chair

DATE: Thursday, February 09, 2012  
TIME: 9:00 AM to 12:00 PM  
PLACE: Conference Room 309  
State Capitol  
415 South Beretania Street

To Whom It May Concern,

I'm writing in support of the Automated Victim Notification bill. I have been a Victim/Witness Counselor for nearly fifteen years. My experience is that programs supported by this bill such as [www.vinelink.com](http://www.vinelink.com), makes the biggest difference for many of our victims' lives, especially those who have been assaulted, seriously threatened, or have been stalked. Knowing that one would be notified by the Department of Public Safety in the event that their offender is released, escapes, or transferred brings some peace and empowerment to the victims of our community.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald Poblete".

Gerald Poblete  
Victim/Witness Counselor





To: The Honorable Henry J.C. Aquino, Chair,  
The Honorable Ty Cullen, Vice Chair  
House Committee on Public Safety & Military Affairs

From: Veronika Geronimo, Executive Director  
Hawaii State Coalition Against Domestic Violence

RE: HB2226 – SUPPORT

Hearing Date and Time: Thursday, 02-09-12 9:00AM

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Good morning Chair Aquino, Vice-Chair Cullen, and Members of the House Committee on Public Safety and Military Affairs. The Hawai'i State Coalition Against Domestic Violence submits the following testimony in support of HB2226. As a statewide coalition of domestic violence service providers, our mission is to engage communities and organizations to end domestic violence through education, advocacy, and action for social justice.

This bill amends Chapter 353, Hawaii Revised Statutes, by creating a new part establishing a permanent statewide victim notification system in the Department of Public Safety (PSD), a governance committee to advise PSD on the implementation of the statewide victim notification system, and a special fund to underwrite the cost of the statewide victim notification system.

Domestic violence survivors are terribly frightened when their perpetrator is released from custody. Perpetrators often see the survivor as being directly responsible for their incarceration and may seek retaliation when released. The victim notification system is a valuable tool which survivors of domestic violence, their family members and advocates can use to receive timely information about changes in an offender's custody status. Knowing when offenders are to be released gives survivors and service providers a life-saving mechanism that keeps them informed and gives them time to plan for their safety.

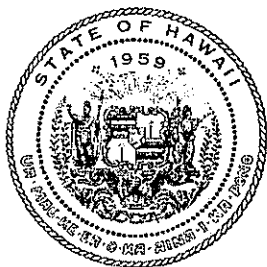
HSCADV's membership, which is made up of domestic violence programs and shelters, report that the victim-notification system is a user-friendly tool that they use often; some advocates use it as often as three times a week. According to one service provider, "Sometimes it is the only thing that allows a victim to sleep at night, knowing that she/I will be alerted if he is released/escaped."

Without a continuing funding source, the victim notification system in Hawaii is in danger of ending when federal funding runs out in 2012. If the program was eliminated, it would compromise the safety of survivors and their families. Prior to this system, survivors and service providers had to call the probation officers, the prison, or both, to find out when an offender would be released. That was a time consuming process that jeopardized victim safety.

Finally, the need for this program is even more critical in light of the Justice Reinvestment Initiative's (JRI) proposals to increase supervised release of felons. The victim notification system will work hand-in-hand with other JRI proposals to increase victim and public safety.

Thank you for your consideration.

HAWAII  
STATE  
COMMISSION  
ON THE  
STATUS  
OF  
WOMEN



Chair:  
LESLIE WILKINS

COMMISSIONERS:

ELENA CABATU  
ADRIENNE KING  
CARMILLE LIM  
AMY MONK  
LISA ELLEN SMITH  
CAROL ANNE PHILIPS

Executive Director:  
Catherine Betts, Esq.

Email:  
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HSCSW

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FAX: 808-586-5756

February 8, 2012

**Testimony in Support of HB 2226, Relating to an Automated Victim Notification System**

**To:** Representative Henry J.C. Aquino, Chair  
Representative Ty Cullen, Vice-Chair  
Members of the House Committee on Public Safety and Military Affairs

**From:** Catherine Betts, Esq., Executive Director, Hawai'i State Commission on the Status of Women

**Re:** Testimony in Support of HB 2226

On behalf of the Hawaii State Commission on the Status of Women, I would like to thank the committee for this opportunity to provide testimony on such an important issue. I would like to express my strong support for HB 2226, which would establish a permanent statewide victim notification system in the Department of Public Safety.

Since the statewide automated victim notification system ("SAVIN") was established in 2008, victims, witnesses, advocates, and service providers have been able to receive timely information about offenders' custody status via telephone or computer. This system has given victims a sense of empowerment that they do not often obtain from the criminal justice system. The system allows victims of horrendous crimes to know where their perpetrators are within the criminal justice system, or if their perpetrators are about to be released. Additionally, this system allows for current and up to date information about offenders that victims would otherwise not find readily accessible.

This program is especially important to victims of domestic violence and sexual assault, who rightfully believe that their perpetrators will seek to hurt them. Access to this program allows victims of intimate partner violence to create safety plans for themselves and their children. Notifications by other means, whether it be from probation officers or direct contact with prisons, is not nearly as readily accessible or timely. Without continued funding, this vital program is in danger of ending when federal funding runs out in 2012. However, through the establishment of a special fund in this bill, the SAVIN program would be able to continue assisting countless individuals and organizations in Hawaii. This is a vitally important program to our community and it should remain operational.

The Commission respectfully urges this Committee to pass HB 2226.

Thank you for this opportunity to testify.

Catherine Betts, Esq.  
Executive Director, Hawaii State Commission on the Status of Women

# COMMUNITY ALLIANCE ON PRISONS

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## COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

Rep. Henry Aquino, Chair

Rep. Ty Cullen, Vice Chair

Thursday, February 9, 2012

9:00 a.m.

Room 309

## COMMENTS ON HB 2226 - VICTIM NOTIFICATION SYSTEM

Aloha Chair Aquino, Vice Chair Cullen and Members of the Committee!

My name is Kat Brady and I am the Coordinator Community Alliance on Prisons, a community initiative promoting smart justice policies for more than a decade. This testimony is respectfully offered, always being mindful that 6,000 Hawai'i individuals are living behind bars, including 1,800 men who are serving their sentences abroad, thousands of miles from their loved ones, their homes and, for the disproportionate number of incarcerated Native Hawaiians, far from their ancestral lands.

HB 2226 establishes the crime victim notification special fund, **requires a 4% surcharge on all inmate commissary purchases**, to be deposited into the fund, and requires commission revenue on inmate telephone usage to be deposited into the fund.

Community Alliance on Prisons offers comments on this measure after speaking with the Crime Victims Compensation Commission (CVCC). The Justice Reinvestment bills - HB 2514 and HB 2515 - have already increased the restitution that is paid from 10% of earnings while incarcerated to 25% of all funds in an individual's account at the beginning of the month. This is a huge leap. The families that Community Alliance on Prisons works with are currently struggling to keep their heads above water.

This bill would add a 4% surcharge on all commissary purchases. We have been told by incarcerated individuals and their families that commissary prices in Arizona have doubled in the last year and to now add an additional 4% surcharge seems excessive to us. The men in Arizona have had to purchase warm clothes for the winter and other hygiene items from the already over-priced commissary.

The CVCC has advised us that the telephone charges are from a separate account and would have little impact on the incarcerated, so we don't challenge that piece of the bill.

Community Alliance on Prisons respectfully asks the committee to strike the 4% surcharge on commissary purchases from this measure.

Mahalo for the opportunity to share our thoughts on this measure.



# THE SEX ABUSE TREATMENT CENTER

*A Program of Kapi'olani Medical Center for Women & Children*

*Executive Director*  
Adriana Ramelli

*Advisory Board*

*President*  
Mimi Beams

*Vice President*  
Peter Van Zile

Joanne H. Arizumi

Mark J. Bennett

Andre Bisquera

Marilyn Carlsmith

*Senator*  
Suzanne Chun Oakland

Monica Cobb-Adams

Donne Dawson

Dennis Dunn

*Senator*  
Carol Fukunaga

Frank Haas

David I. Haverly

Linda Jameson

Roland Lagareta

Michael P. Matsumoto

Phyllis Muraoka

Gidget Rusceita

Paul B.K. Wong

DATE: February 9, 2012

TO: The Honorable Henry J.C. Aquino, Chair  
The Honorable Ty Cullen, Vice Chair  
Committee on Public Safety & Military Affairs

FROM: Adriana Ramelli, Executive Director  
The Sex Abuse Treatment Center

RE: H.B. 2226  
Relating to an Automated Victim Notification System

Good morning Chair Aquino, Vice Chair Cullen and members of the Committee on Public Safety & Military Affairs. My name is Adriana Ramelli and I am the Executive Director of the Sex Abuse Treatment Center (SATC), a program of the Kapi'olani Medical Center for Women & Children (KMCWC), an affiliate of Hawai'i Pacific Health.

The SATC strongly supports H.B. 2226 to ensure crime victims benefit from a comprehensive, effective victim notification system through adequate state funding. Without a reliable source of funding, Hawai'i cannot live up to its important commitment to victims and their loved ones to maintain and sustain a notification system on which many of them rely.

Sexual assault and other violent crimes shatter lives and can lead to a profound sense of vulnerability and lack of control. Through a victim notification system, victims have the opportunity to reclaim some of the control they have lost by using the real-time information they receive to protect and prepare themselves for new developments or changes in the disposition of the offender, particularly if it involves their release from custody. In addition, adequate notification provides victims the option of further involvement in the criminal justice system, an important choice for many.

I urge you to support H.B. 2226. This important victim-centered bill will help strengthen the rights of those traumatized by sexual assault and other serious crimes.

Thank you for the opportunity to testify.

To: The Honorable Henry J.C. Aquino, Chair,  
The Honorable Ty Cullen, Vice Chair  
House Committee on Public Safety & Military Affairs

From: Linda Rich, DCSW, LSW, CSAC

RE: HB2226 – SUPPORT

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Good morning Chair Aquino, Vice-Chair Cullen, and Members of the Committee. I am submitting testimony in support of HB2226. I am a social worker and provider of substance abuse and mental health services to women as well as a member of the Hawaii State Coalition Against Domestic Violence.

This bill amends Chapter 353, Hawaii Revised Statutes, by creating a new part establishing a permanent statewide victim notification system in the Department of Public Safety (PSD), a governance committee to advise PSD on the implementation of the statewide victim notification system, and a special fund to underwrite the cost of the statewide victim notification system.

Domestic violence survivors are at risk and frightened when their perpetrator is released from custody. Perpetrators often blame the survivor for their incarceration and may seek retaliation when released. The victim notification system is a valuable tool which survivors of domestic violence, their family members and advocates can use to receive timely information about changes in an offender's custody status. Knowing when offenders are to be released gives survivors and service providers a life-saving mechanism that keeps them informed and gives them time to plan for their safety.

The victim-notification system is a user-friendly tool that some advocates use as often as three times a week. According to one service provider, "Sometimes it is the only thing that allows a victim to sleep at night, knowing that she/I will be alerted if he is released/escaped."

Without a continuing funding source, the victim notification system in Hawaii is in danger of ending when federal funding runs out in 2012. If the program was eliminated, it would compromise the safety of survivors and their families. Prior to this system, survivors and service providers had to call the probation officers, the prison, or both, to find out when an offender would be released. That was a time consuming process that jeopardized victim safety.

Finally, the need for this program is even more critical in light of the Justice Reinvestment Initiative's (JRI) proposals to increase supervised release of felons. The victim notification system will work hand-in-hand with other JRI proposals to increase victim and public safety.

Thank you for your consideration.