

SB 2950

RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER

Description:

Appropriation to the department of the prosecuting attorney of the city and county of Honolulu for the Honolulu family justice center.

DEPARTMENT OF THE PROSECUTING ATTORNEY
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**THE HONORABLE WILL ESPERO, CHAIR
SENATE COMMITTEE ON PUBLIC SAFETY,
GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS**

Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii
February 9, 2012 Hearing

February 7, 2012

Re: H.B. 2950, Relating to Appropriations for the Honolulu Family Justice Center

Chair Espero, Vice-Chair Kidani, and Members of the Senate Committee on Public Safety, Government Operations, and Military Affairs, the Department of the Prosecuting Attorney submits the following testimony in support of S.B. 2950, Relating to Appropriations for the Honolulu Family Justice Center. The original bill was part of the Department's 2012 Legislative Package.

I. The Family Justice Center Model

A. Background

The Family Justice Center movement is the product of the battered women's movement in the United States. It is the result of over 20 years of efforts by domestic violence intervention professionals to mainstream aggressive intervention strategies into the civil and criminal justice systems. Communities have identified the benefits of bringing together advocates, law enforcement personnel, prosecutors and other intervention service-provider professionals to work together in serving victims of domestic violence and holding offenders accountable. Currently, there are over 60 Family Justice Centers established across the United States and several centers are operating overseas. The Family Justice Center model has been identified as a "best practice" in delivering services to victims of domestic abuse.

B. The Benefits of Family Justice Centers

1. Overview of the Development of the Family Justice Center Concept

The Family Justice Center concept has developed in response to feedback from survivors of domestic violence that it has become increasingly difficult to navigate the multitude of programs and services that have emerged. Victims have reported that they must go to more and more places to receive help and must tell their stories over and over as they travel from agency to agency to receive services. The journey to escape domestic violence has become burdensome, confusing and frustrating to victims. Oftentimes, victims simply give up and remain with their batterers because obtaining services is just too confusing and difficult. The Family Justice Center model addresses this major obstacle by providing integrated, co-located services from one location in an environment that is safe and nurturing.

A fundamental principle of the Family Justice Center concept is that it is victim-centered. By starting with a focus on the adult victim, the Family Justice Center model makes a strong value statement about the need to address adult domestic violence and sexual assault issues first to then be able to completely and properly address related child abuse and neglect issues. It has been said that “We cannot protect the children if we do not protect their mothers.”¹

The victim-centered core principal means that offenders are not allowed access into the Family Justice Center. Most Family Justice Centers will provide offenders with information as to the availability of off-site, offender-type programs. The victim-centered model provides a safe, friendly, and supportive environment for victims without fear of the presence of offenders.

Some of the services offered at a Family Justice Center include advocates who assist victims with obtaining temporary restraining orders (TRO), designing a safety plan and conducting a dangerousness assessment for future violence, including death by the batterer; placement at an emergency shelter; a case manager who follows up to make sure that each victim receives all the services requested; the prosecutor who can keep the victim informed of the status of the criminal case; a victim advocate who provides support during the pendency of a criminal prosecution; and child care at the Center while a parent obtains services, among other services. Victim-centered also means that it is the victim who decides what services she would like to receive and, except for certain mandated reporting crimes, e.g., sex assault and child abuse, it is the victim who decides whether to file a police report and to pursue charges against the offender. All these services are available in an environment that is victim-friendly, supportive, and non-judgmental.

¹ Although the vast majority of battered victims are women and children, more and more men are coming forward to report that they have been victims of domestic violence. The Family Justice Center model includes services for male victims, both heterosexual and homosexual in orientation.

2. Benefits of the Family Justice Center

Family Justice Centers have resulted in a service delivery system to victims that is more efficient than scattered services in many different locations. Law enforcement personnel have reported that the Family Justice Center model of co-located services leads to greater cooperation on the part of victims in prosecuting offenders by reducing victim recantations thereby resulting in an increase in successful criminal prosecutions. Successful prosecutions, in turn, have led to a reduction in recidivism because offenders now realize that the criminal justice system will hold them accountable for their conduct.

Recently, a delegation from Honolulu consisting of the Director and Administrative Assistant of the Honolulu Family Justice Center, the Deputy Director of the City's Department of Community Services, and the acting Lieutenant and a Detective from the Honolulu Police Department's Family Violence Unit returned from site visits at the Alameda County Family Justice Center, the San Diego Family Justice Center and the Anaheim Family Justice Center. At each Center, law enforcement personnel assigned at their respective Centers unanimously and enthusiastically endorsed the efficacy of the co-located services model at each of their Centers. Community service providers likewise voiced their full support of co-located services by being able to reach and help more victims at the Centers. Another benefit of co-located services is a better understanding and improved relationships amongst the partner agencies at the Center.

The Family Justice Center model is a win-win model for law enforcement, prosecutors, services providers and, most importantly, for victims by providing comprehensive, integrated services from one location.

II. Honolulu Family Justice Center

Beginning in May 2010, through a federal grant awarded to the Department of the Prosecuting Attorney, City and County of Honolulu, a series of strategic planning meetings were held in Honolulu attended by elected officials, including the Honorable Chair of this Committee, the Judiciary, the Honolulu Police Department, the Honolulu Prosecutor's Office, service providers and other community stakeholders, representatives of the military, and survivors, among others. The Honolulu Family Justice Center has the full support of the City Administration. Prosecuting Attorney Keith M. Kaneshiro has thrown his full support behind the Honolulu Family Justice Center. Council Chair, Ernest Martin, is in full support of the Center. The Honolulu Police Department also supports the long-term success of the Honolulu Family Justice Center and will play a key role at the Center. The Honolulu Family Justice Center has the support of the lead judge of the Family Court of the First Circuit as well as the support of the civilian directors for the military's domestic violence programs. Most importantly, survivors in Honolulu have voiced their strong, unanimous support for the Honolulu Family Justice Center.

Overall, the local domestic violence community agencies support the long-term success of the Honolulu Family Justice Center. Some agencies, however, have expressed uncertainty about the potential of the Center to require them to change their operating procedures and the potential for competition for funding among existing service providers. An open dialogue to address these concerns will be undertaken as well as a discussion of the commitment of all

partner agencies to look for ways to effectively and efficiently address the needs of victims with scarce resources.

The Honolulu Family Justice Center is targeting a July 2012 date to open Phase I of the Center. The Honolulu Family Justice Center will provide services to victims of domestic violence, sex assault, and elder abuse. An important service component will address the needs of immigrant victims.² Efforts are underway to identify and locate space for Phase I. The Honolulu Family Justice Center will begin its operation with representatives from the Department of the Prosecuting Attorney, the Honolulu Police Department, Victim Witness Advocates, advocates to assist with TRO filings, and other community service providers who want to have a presence at the Center. Participation at the Center will be voluntary and based upon the ability of service providers to provide staffing – be it on-site on a full-time basis, part-time basis, or on an on-call, off-site basis.

The Department has BIG dreams for the Honolulu Family Justice Center. Part of the vision includes a transitional housing component where survivors of domestic violence will have the opportunity to obtain long-term housing and services once the immediate crisis of leaving a domestic violence relationship is over. Many survivors lack the skills to achieve emotional and financial independence once they leave their abusers. The Honolulu Family Justice Center would also like to include services to children who have experienced and/or witnessed domestic violence, among other services.

The Honolulu Family Justice Center is a community-safety initiative whose time has come. The Honolulu Family Justice Center integrates existing resources and leverages other funding sources to support the Center such that the Legislature is not expected to cover the entire cost of the Center. Moreover, substantial cost savings will be realized through the extensive use of highly-trained volunteers and interns at the Center. Donations from business leaders and organizations will be sought and fundraising activities will be initiated to cover some of the costs of planning and operating the Center.

For the foregoing reasons, the Department of the Prosecuting Attorney, City and County of Honolulu strongly supports S.B. 2950, requesting appropriations for a grant-in-aid for the Honolulu Family Justice Center in an amount to be determined.

² Funding for interpretative and translation services has already been secured to facilitate services to immigrants in a way that does not compete for funding with other programs.

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Testimony of the Department of Community Services

MEASURE:

S.B. 2950, Relating to Appropriations for the Honolulu Family Justice Center.

COMMITTEE(S):

Senate Committee on Public Safety, Government Operations, and Military Affairs

HEARING DATE: Thursday, February 9, 2012

TIME: 2:45 p.m.

LOCATION: State Capitol, Room 224

COMMITTEE REQUESTS 1 COPIES

TESTIFIER(S): Bridget Holthus, Deputy Director

Chair Espero and Members of the Committee:

The Department of Community Services strongly supports this bill.

Each year law enforcement agencies respond to alarming incidents of domestic violence. The prevalence of family violence is even more alarming when one considers that experts estimate that only 25 percent of such cases are actually reported. There are many reasons why victims often fail to report domestic violence, including love, fear, religious beliefs, threats to children, lack of money or resources, or simply not knowing that help is available. Criminal and civil justice systems may unintentionally make it difficult for victims to seek help. Victims must often travel from location to location to seek services that are scattered through a community or region. They must tell their story over and over again to officials representing agencies, such as law enforcement, courts, legal aid, medical, transportation, housing, social services, mental health, rehabilitation, financial assistance, and many more.

A Family Justice Center addresses these issues by providing a combination of services and interventions from one location to help victims and offenders break the cycle of violence and develop healthy relationships. A Family Justice Center is the co-location of a multi-disciplinary team of professionals who work together, under one roof, to provide coordinated services to victims of family violence. While a Family Justice Center may house many partners, the basic partners include police officers, prosecutors, civil legal service providers, and community-based advocates. The core concept is to provide one place where victims can go to talk to an advocate, plan for their safety, interview with a police officer, meet with a prosecutor, and receive assistance and information regarding shelter, medical care, and other services. A collaborative effort provides more support to victims and children involved in family violence through improved case management and a more fluid exchange of information and resources. Bridging

existing gaps increases a victim's access to services and resources and makes the entire process of reporting a domestic violence incident much less overwhelming for the victims and children involved.

The Family Justice Center model has been identified as a best practice in the field of domestic violence intervention and prevention services by the United States Department of Justice. The documented and published outcomes in the Family Justice Center model have included reduced homicides, increased victim safety, increased autonomy and empowerment for victims, reduced fear and anxiety for victims and their children, increased efficiency and coordination among service providers, and reduced recantation and minimization by victims when wrapped in services and support.

A Family Justice Center is based on the needs of the clients it serves. And when compared to the financial impact of domestic violence on the legal system, the health care system, and the business community, or the impact on children, the cost of a Family Justice Center is minimal and the model is cost effective.

For more information, please visit www.familyjusticecenter.com.

We respectfully ask that this bill be passed.