



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

February 12, 2013

TO: The Honorable Mele Carroll, Chair
House Committee on Human Services

FROM: Patricia McManaman, Director

SUBJECT: **H.B. 1006 - RELATING TO FAMILY JUSTICE CENTERS**

Hearing: Tuesday, February 12, 2013, 9:30 a.m.
Conference Room 329, State Capitol

PURPOSE: The purpose of this bill is to allow the Department of Human Services to create a Family Justice Center Task Force to consider the establishment of family justice centers to assist victims of domestic violence, sexual assault, elder abuse, or human trafficking and provide family-based social services.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports the intent of the proposed bill and the concept of a single point of access for multiple services for victims of domestic violence, sex assault, elder abuse and human trafficking. The Department of the Prosecuting Attorney with the City and County of Honolulu has completed work over the past couple years with the Domestic Violence community and partner agencies and has developed a strategic plan for the creation of a Family Justice Center on the island of Oahu. Financial support has been secured and the anticipated date of opening for the Honolulu Family Justice Center is the end of

2013 or early 2014. With the substantial ground work and progress made, the Department believes the creation of a task force is unnecessary.

Thank you for the opportunity to testify.



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/12/2013

Committee: House Human Services

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 1006 RELATING TO FAMILY JUSTICE CENTERS

Purpose of Bill: Allows DHS to create a Family Justice Center Task Force to consider the establishment of family justice centers to assist victims of domestic violence, sexual assault, elder abuse, or human trafficking and provide family-based social services.

Department's Position:

The Department of Education (Department) supports HB 1006. The Department is poised to participate as a member of the Family Justice Center Task Force and will continue to partner with other agencies and organizations in their current efforts towards assisting victims of domestic violence, sexual assault, or human trafficking.

Thank you for the opportunity to offer testimony in support of HB 1006.

DEPARTMENT OF THE PROSECUTING ATTORNEY
CITY AND COUNTY OF HONOLULU

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 547-7400 • FAX: (808) 547-7515

KEITH M. KANESHIRO
PROSECUTING ATTORNEY

ARMINA A. CHING
FIRST DEPUTY PROSECUTING ATTORNEY



**THE HONORABLE MELE CARROLL, CHAIR
HOUSE COMMITTEE ON HUMAN SERVICES
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawai'i**

February 5, 2013

RE: H.B. 1006; RELATING TO FAMILY JUSTICE CENTERS.

Chair Carroll, Vice-Chair Kobayashi and members of the House Committee on Human Services, the Department of the Prosecuting Attorney of the City and County of Honolulu submits the following comments regarding House Bill 1006.

While the Department supports the intent of the bill—that is, to explore the idea of opening additional Family Justice Centers across the State of Hawaii—it is unclear how the proposed Task Force will interface with the existing Honolulu Family Justice Center, which is slated to open in 2013. Also, there is some concern that the Department may not have sufficient manpower to fully and actively participate in the proposed Task Force immediately, during the first year of opening the Honolulu Family Justice Center.

1. 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 barterers 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 barterer; 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 nonjudgmental.)

2. Benefits of the Family Justice Center

¹ Although the vast majority of bartered 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.

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

allpartner 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 1. 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, parttime 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.

Thank you for this opportunity to present comments about H.B. 1006.

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.

hscadv



HAWAII STATE COALITION AGAINST DOMESTIC VIOLENCE

To: Chair Mele Carroll
Vice Chair Bertrand Kobayashi
HOUSE OF REPRESENTATIVES COMMITTEE ON HUMAN SERVICES

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

Hearing Date and Time: Tuesday, February 12, 2013; 9:30 am

Place: Conference Room 329

RE: HB1006 - OPPOSE

The Hawaii State Coalition Against Domestic Violence submits the following testimony opposing HB 1006 which allows Department of Human Services to create a Family Justice Center Task Force to consider the establishment of family justice centers to assist victims of domestic violence, sexual assault, elder abuse, or human trafficking and provide family-based social services.

While we are supportive of initiatives to coordinate and make services more integrated for survivors of domestic violence, sexual assault, elder abuse, and human trafficking, HB1006 is duplicative of existing efforts. HB1006 calls for the creation of a family justice center task force to identify services for a Family Justice Center and develop a report of its findings and recommendations. The Hawaii Department of the Attorney General has already secured federal funding for the planning and implementation process of a Family Justice Center(s) in Oahu and has coordinated a Study Tour and Community Assessment and the crafting of a strategic plan for the operation of a Family Justice Center.

Domestic violence programs and shelters have worked hard over the last two years to ensure that the planning and implementation process includes community collaboration and a victim-centered approach. Initiating a new planning process will cause confusion and divert already diminishing resources of survivors, law enforcement leaders, and community based organizations who have committed valuable time to the planning process coordinated by the Department of the Prosecuting Attorney.

Thank you for your consideration.

Hawaii State Coalition Against Domestic Violence
810 Richards Street, Suite 960
Honolulu, HI 96813

vgeronimo@hscadv.org | www.hscadv.org Tel: 808-832-9316 ext. 104 | Fax: 808-841-6028



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

**TESTIMONY FOR HOUSE BILL 1006, RELATING TO FAMILY JUSTICE
CENTERS**

**House Committee on Human Services
Hon. Mele Carroll, Chair
Hon. Bertrand Kobayashi, Vice Chair**

**Tuesday, February 12, 2013, 9:30 AM
State Capitol, Conference Room 329**

Honorable Chair Carroll and committee members:

I am Kris Coffield, representing the IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 150 local members. On behalf of our members, we offer this testimony in support of for HB 1006, relating to family justice centers.

In 2011, lawmakers passed HB 141 and HB 240, the former of which outlawed labor trafficking in the islands and the latter of which strengthened existing anti-prostitution laws by expanding witness protection for victims and targeting repeat offenders, particularly pimps and johns. Both bills were important steps in rectifying Hawaii's poor image and record with regard to anti-trafficking law. Importantly, these new statutes focus on demand for labor and sex trafficking, signaling our state's move toward combating those most responsible for trafficking violations—pimps, johns, owners and managers of prostitution houses, and traffickers themselves—while protecting those who are most vulnerable. In 2012, policymakers passed a “vacating convictions” bill, for the first time allowing persons who have been wrongfully convicted of prostitution-related offenses and can demonstrate that their offenses were coerced to petition to have these convictions vacated from their record, so that they can matriculate into healthy, sustainable, fruitful lifestyles.

The IMUAlliance lauds the State Legislature's efforts during the last two sessions. At the same time, we call upon lawmakers to continue the fight against human trafficking by hearing and advancing bills that increase justice services for

victims. This bill furthers the reception of such services by creating a task force to consider the establishment of family justice centers throughout the islands. As the Honolulu Prosecutor has stated regarding similar measures in recent years, FJC initiatives are the product of the battered women's movement in the United States, seeking to codify best practices gleaned from decades of intervention strategies into abuse cases heard in the nation's criminal and civil justice systems. FJCs employ a victim-centered approach that denies domestic violence, sexual assault, elder abuse, and human trafficking *offenders* access to FJC programs, creating a safe space for *victims* to interact with support service providers. Services offered by FJCs typically include, but are not limited to, assistance with the obtainment of temporary restraining orders, designing safety plans, conducting danger assessments, emergency shelter placement, case management services, victim advocacy during prosecutorial and trial processes, and child care. Provision of these services incentivizes an open sharing of information between a victim and the various agencies necessary to facilitate juridical procedures and obtain justice for victims of abuse-related crimes. That said, we appreciate that the committee is initiating the FJC concept in our communities via a task force, giving stakeholders an opportunity to discuss how FJCs may require altering their organizational protocols and fiscal management before implementation. As a an advocate for human trafficking victims, we also appreciate that anti-trafficking advocates are included on the task force, allowing our victims' voices to be heard.

Again, we thank you for your hard work to stem human trafficking on our shores. Room for improvement remains, however, and we feel that the measure in question, with proposed amendments, will consecrate last biennium's momentum into a concerted movement. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Legislative Director
IMUAlliance



To: Chair Carroll
Vice Chair Kobayashi
Members of the Committee on Human Services

Fr: Nanci Kreidman, M.A.

RE: HB 1006 Opposed

Aloha!. Thank you for the opportunity to raise issues of significance impacting safety of victims and effectiveness of system response.

There exists an effort underway to develop a Family Justice Center, led by the Department of the Prosecuting Attorney. An additional Task Force appears duplicative. It is not clear what the intent of the Body, within the Department of Human Services, would be designed to achieve.

Thank you for giving consideration to the perspective.



THE SEX ABUSE TREATMENT CENTER

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

Executive Director
Adriana Ramelli

DATE: February 12, 2013

Advisory Board

TO: The Honorable Mele Carroll, Chair
The Honorable Bertrand Kobayashi, Vice Chair
House Committee on Human Services

President
Mimi Beams

Vice President
Peter Van Zile

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

Joanne H. Arizumi

Mark J. Bennett

Andre Bisquera

Marilyn Carlsmith

RE: H.B. 1006
Relating to Family Justice Centers

Senator
Suzanne Chun Oakland

Monica Cobb-Adams

Donne Dawson

Dennis Dunn

Councilmember
Carol Fukunaga

David I. Haverly

Linda Jameson

Good morning Chair Carroll, Vice Chair Kobayashi and members of the House Committee on Human Services. 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.

H.B. 1006 would allow the Department of Human Services to create a task force to consider the establishment of one or more multi-agency, multi-disciplinary family justice centers in Hawai'i to assist victims of domestic violence, sexual assault, elder abuse, or human trafficking, and provide family-based social services.

Michael P. Matsumoto

Phyllis Muraoka

Gidget Ruscetta

While SATC supports the intent to collaborate on issues affecting survivors of sexual assault, H.B. 1006 appears to be unnecessary at this time.

For the last several years, a number of community-based organizations, legal service providers, survivors of violence, law enforcement representatives, and government agencies have participated in planning discussions for a Family Justice Center in O'ahu, coordinated by the Department of the Prosecuting Attorney for the City and County of Honolulu. SATC has been a contributing voice in the on-going meetings to ensure that the needs of sexual assault survivors are considered. The collaborative work has led to the launch of a pilot program and the identification of a potential site.

The task force proposed by H.B. 1006 would likely lead to duplication of the continuing efforts by the existing group of stakeholders and strain already limited resources.

Thank you for this opportunity to testify.



February 1, 2013

COMMITTEE ON HUMAN SERVICES

Rep. Mele Carroll, Chair
Rep. Bertrand Kobayashi, Vice Chair
Rep. Della Au Belatti
Rep. Dee Morikawa
Rep. Rida T.R. Cabanilla
Rep. Justin H. Woodson
Rep. Jo Jordan
Rep. Beth Fukumoto

DATE: Tuesday, February 12th 2013

TIME: 9:30 a.m.

PLACE: Conference Room 329, State Capitol, 415 South Beretania Street

**RE: TESTIMONY IN SUPPORT OF HB1006
RELATING TO FAMILY JUSTICE CENTERS**

Allows DHS to create a Family Justice Center Task Force to consider the establishment of family justice centers to assist victims of domestic violence, sexual assault, elder abuse, or human trafficking and provide family-based social services.

Dear Committees on Human Services:

The Pacific Alliance to Stop Slavery (PASS) is in strong support of HB1006. PASS serves victims of Human Trafficking for sex or labor in the state of Hawaii and has a support base of over 7000 persons.

PASS is one of Hawaii's few services that helps heal survivors of human trafficking. We testify that there are no specific services tailored to the survivors of this crime. As a result, survivors fall through the cracks or are often re-victimized and criminalized as either "prostitutes" if they are sex trafficked victims or "illegal immigrants" if they are labor trafficked victims. Hawaii must accurately and effectively address the handling of human trafficking survivors.

Earlier this year, Shared Hope International rated Hawaii second worst in the nation in protecting child victims of sex trafficking by law. Since there is no sex trafficking statute in Hawaii, statistics from law enforcement are unavailable as they are combined with general prostitution statistics but other sources of information are very helpful in assessing the great need for services specific to child victims of sex trafficking. Such information states:

- Hawaii's incarceration rate of juvenile girls exceeds national average¹.
- Of the girls incarcerated, 35% are runaways, a high-risk criteria for trafficking².
- Hawaii has the third highest attempted teen suicide rate³.
- Hawaii has one of the highest rates of intrafamilial sexual abuse (incest)⁴.

All of these statistics significantly contribute to the proliferation of sex trafficking. Since 2009, PASS alone has assisted 96 victims of human trafficking. The need to expand anti trafficking services is very severe.

Thank you for hearing this much needed legislation.

Sincerely,



Kathryn Xian
Executive Director
Pacific Alliance to Stop Slavery

¹ Hawaii Department of the Attorney General, Research and Statistics Branch Crime Prevention and Justice Assistance Division. (May 2006). *The Female Juvenile Offender in Hawaii: Understanding Gender Differences in Arrests, Adjudications, and Social Characteristics of Juvenile Offenders*

² Ibid.

³ Hawaii State Department of Health (2010)

⁴ Dunn, A. Girl Fest Hawaii Conference on Youth. (2012). Deputy Prosecutor, Honolulu City Prosecutor's Office