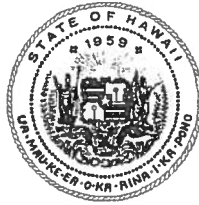


DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**CRIME VICTIM COMPENSATION  
COMMISSION**

1136 Union Mall, Suite 600  
Honolulu, Hawai'i 96813  
Telephone: 808 587-1143  
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MARI McCAIG  
Chair

MARTHA ROSS  
Interim Commissioner

ABELINA M. SHAW  
Commissioner

PAMELA FERGUSON-BREY  
Executive Director

TESTIMONY ON HOUSE BILL 452  
RELATING TO STATEWIDE SEXUAL ASSAULT SERVICES  
by  
Pamela Ferguson-Brey, Executive Director  
Crime Victim Compensation Commission

House Committee on Judiciary  
Representative Karl, Rhoads, Chair  
Representative Joy A. San Buenaventura, Vice Chair

Tuesday, February 10, 2015; 2:00 PM  
State Capitol, Conference Room 325

Good afternoon Chair Rhoads, Vice Chair San Buenaventura and members of the House Committee on Judiciary. Thank you for providing the Crime Victim Compensation Commission (the "Commission") with the opportunity to testify in strong support of House Bill 452 relating to statewide sexual assault services. House Bill 452 appropriates funds for statewide sexual assault services.

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.

The Commission supports this bill which provides the \$2,000,000 necessary for direct services and the \$380,000 necessary for technical services.

The Commission works collaboratively with the Sex Abuse Treatment Center on Commission cases involving sexual assault victims. Unlike the Commission which can only provide assistance to sexual assault victims who report the crime to the police, the Sex Abuse Treatment Center provides services to all sexual assault victims including the large number of sexual assault victims who choose to address their trauma privately. Sexual assault victims deserve to receive specialized, uniform, and standardized care from trained professionals. The Sex Abuse Treatment Center and its outer island counterparts provide the treatment and assistance that sexual assault victims need to process their trauma.

The Statewide Sexual Assault Services appropriation also funds the “Med-Legal” examinations that are vital to sexual assault prosecutions and helps to start the healing process for the victim. The Commission is statutorily unable to provide compensation for these examinations, therefore continued funding through this appropriation is both vital and necessary.

Thank you for providing the Commission with the opportunity to testify in strong support of House Bill 452.



# THE SEX ABUSE TREATMENT CENTER

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

*Executive Director*  
Adriana Ramelli

DATE: February 10, 2015

*Advisory Board*

TO: The Honorable Karl Rhoads, Chair  
The Honorable Joy San Buenaventura, Vice Chair  
House Committee on Judiciary

*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

RE: Testimony in Support of House Bill 452  
Relating to Statewide Sexual Assault Services

Marilyn Carlsmith

*Senator*  
Suzanne Chun Oakland

Monica Cobb-Adams

Donne Dawson

Dennis Dunn

*Councilmember*  
Carol Fukunaga

David I. Haverly

Linda Jameson

Michael P. Matsumoto

Robert H. Pantell, MD

Gidget Ruscetta

Joshua A. Wisch

I would like to thank the Committee for this opportunity to provide testimony on behalf of The Sex Abuse Treatment Center (SATC), a program of Kapi'olani Medical Center for Women & Children (KMCWC), in strong support of House Bill 452 (H.B. 452).

H.B. 452 requests funds to update the base operating budget of the Department of the Attorney General (the AG) in support of the development, delivery and maintenance of quality, sustainable programs to provide sexual assault services Statewide.

SATC administers state funding through a master contract between the AG and KMCWC for sexual assault services provided by SATC, the YWCA of Kaua'i, Child & Family Service Maui (including Moloka'i and Lana'i), and the YWCA of Hawai'i Island. These sexual assault centers partner to provide statewide master contract direct services, covering:

- 24/7 crisis intervention, including immediate help following a sexual assault and crisis counseling and support;
- Mental health therapy services;
- Coordination of care and advocacy;
- Prevention and education services.

SATC, as the master contractor, further provides technical assistance in the form of ongoing planning, oversight, and consultation of this network of sexual assault centers in order to support the delivery of these statewide direct services.

Through this close, collaborative partnership, efficiency is attained by having an integrated, statewide network of centers sharing a uniform set of practice standards,

procedures, and materials, and a strong program of training and compliance monitoring. Additionally, each center is able to benefit from the skill, wisdom, and experience possessed by its sister organizations, which would not be possible if each were acting in isolation and without sufficient coordination.

Presently, base operating funds for statewide sexual assault services in the amount of \$2,000,000 per year – which has remained unchanged since 2007 – are divided between statewide direct services and technical assistance. The funding made available by H.B. 452 will permit the entire \$2,000,000 to be used for direct services, while continuing to allow SATC to conduct the technical assistance needed to support them.

This will translate into the SATC and the neighbor island sexual assault centers being able to fill current critical gaps in the provision of direct services, with a focus on rural areas and fragile/underserved populations.

Funding needs include, but are not limited to:

- Prevention and education services for rural communities on the neighbor islands. Specific examples include the islands of Moloka'i, Lana'i and Kaua'i, where these services have been limited, and Hawai'i Island, where there is currently no available capacity for this type of service.
- Full time crisis counselor staffing for Hawai'i Island dedicated to fulfilling the immediate needs of sexual assault survivors in Hilo and Kona.
- Crisis counseling and support services for the adult community correctional facility on Kaua'i, and for high risk youth at the detention home on O'ahu.
- Mental health therapy services for survivors and their loved ones on Maui and Moloka'i, and for outlying areas of Kaua'i such as Waimea.

By guaranteeing the sustainability of our programs, your support of H.B. 452 assures that survivors and their loved ones across the islands will receive the care that is crucial to recovery from the effects of sexual assault, and empowers communities statewide with the services needed to prevent acts of sexual violence.

# eliminating racism empowering women

ywca

YWCA of Kauai  
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Lihue, HI 96766

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[www.ywcakauai.org](http://www.ywcakauai.org)

DATE: February 9, 2015

TO: The Honorable Karl Rhoads, Chair  
The Honorable Joy San Buenaventura, Vice Chair  
House Committee on Judiciary

FROM: Renae Hamilton, Executive Director  
YWCA of Kaua`i

RE: Testimony in Support of House Bill 452  
Relating to Statewide Sexual Assault Services

Aloha Honorable Chair Rhoades, Vice Chair San Buenaventura, and members of the House Judiciary Committee especially Members Kawakami and Morikawa who represent the people of Kauai so well. My name is Renae Hamilton and I am the Executive Director for the YWCA of Kauai and I would like to thank the committee to provide testimony on behalf of the Sexual Assault Treatment Program, which has been a program at the YWCA for over 20 years.

The YWCA of Kaua`i strongly supports House Bill 452, requesting funding to restore the full amount allocated for direct service delivery and maintain technical support. This past fiscal year, sexual assault services suffered from a 10% budget reduction which reduced direct services available to the Kauai community by severely cutting prevention education services, and the creation of a wait list for counseling services. The passage of H.B. 452 would ensure the restoration of the complete array of essential crisis, counseling, and prevention services as well as maintaining the necessary technical support that has been so beneficial to all the sexual assault service providers.

The statewide technical support is provided by a master contract between the Department of the Attorney General and KMCWC/SATC for sexual assault services provided by SATC, the YWCA Kaua`i, Child & Family Services Maui (including Moloka`i & Lana`i), and the YWCA Hawai`i. These sexual assault centers partner to ensure a high standard of care across the entire for all victims of sexual assault. SATC provides the necessary oversight, consultation, and technical assistance to support the delivery of 24/7 crisis response, counseling, and education services throughout the state. This continued oversight benefits all the service providers and strengthens the system of care statewide. Since the 2007 fiscal year, the State appropriation for statewide sexual assault services has been \$2,000,000. While operational costs to deliver much needed services, including technical support have steadily increased, the funding amount has remained static.

The combination of the funding amount being static and the Office of the Attorney General reduced the allocation last year by 10%, has forced the YWCA to reduce services and we are not able to meet all the needs of sex assault victims, their families and loved ones, and of our larger community.

The YWCA is the sole provider of these crucial services on Kaua`i, and to this day we continue with our efforts to keep expenses down such as; frozen salaries and long delays in hiring. However, these practices cannot continue indefinitely without compromising the quality of services provided. The Prevention Education program has a severely reduced service capacity and we are unable to fulfill all requests for education services which make our community safer. Schools, government agencies, community organizations, businesses and churches request help for educating the populations they serve, but the agency has limited personnel and resources to meet the demands. Without increased funding for the growing cost of this limited service, complete elimination of prevention education services will be necessary and the Kaua`i community will be at a greater risk of increasing the number of sexual assaults instead of progressing to reducing and eliminating this violent crime and the wait list for counseling services will remain in place.



# eliminating racism empowering women

ywca

The additional resources made available by H.B. 452 will allow the entire \$2,000,000 to be used for direct services, while still fully funding the technical assistance that supports the high quality of services across the sex assault providers across the state. Fully funded direct services and technical services go hand in hand to ensure the highest standards and quality service delivery that is essential for victims to heal and to make every community in Hawaii safer.

I humbly urge you to support H.B. 452

Thank you for this opportunity to testify.



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dara Carlin, M.A.	Individual	Support	No

Comments:

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joy Marshall	Individual	Support	No



TO: Committee on Judiciary  
Rep. Karl Rhoads, Chair  
Rep. Joy A. San Buenaventura, Vice Chair

FROM: Teresa Bill tbill808@gmail.com Honolulu Resident

RE: Testimony **Strong Support** HB 452  
Relating to Statewide Sexual Assault Services  
Tues. Feb. 10, 2015 2:00 p.m. Conference Room 325

I am Teresa Bill, testifying in **strong support of HB 452** allocating funds to the base budget of the Attorney General's office to increase funding for statewide sex assault services to \$2,380,000 per fiscal year.

As a community member and staff of the UH Women's Center, I rely on the services of SATC (Sex Assault Treatment Center) to provide needed and otherwise unavailable services to survivors of sex assault. I refer students to their services because they do incredible work. I am also aware that there is insufficient funding to serve all who need these services.

Increased community conversations and increased awareness bring the need for increased funding and resources. The contract to provide both direct client services and technical assistance has not increased since 2007 while demand for services increases. This funding will increase the funds for direct survivor services, and also ensure that technical assistance to ensure and coordinate care across the islands.

Please support this request for additional funds for very important work.

Thank you for this opportunity to testify.

**LATE**

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[www.childandfamilyservice.org](http://www.childandfamilyservice.org)



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JoAnn Freed  
Early Childhood Consultant

**ACCREDITATIONS**

Council on Accreditation  
Better Business Bureau

**AFFILIATIONS**

Alliance for Children & Families  
Aloha United Way  
Kauai United Way  
Hawaii Island United Way

**DATE:** February 10, 2015

**TO:** The Honorable Karl Rhoads, Chair  
The Honorable Joy San Buenaventura,  
Vice Chair House Committee on Judiciary

**FROM:** Nicole Hokoana, Director of Maui County Programs  
Child & Family Service

**RE:** Testimony in Support of H. B. 452  
Relating to Statewide Sexual Assault Services

Good afternoon Chair Rhoads, Vice Chair Buenaventura and members of the House Committee on Judiciary. My name is Nicole Hokoana and I am the Director of Maui County Programs for Child & Family Service. I am writing on behalf of the Maui Sexual Assault Center, a program of Child & Family Service, and recipient of consultation and support offered by Oahu's Sex Abuse Treatment Center, also known as the SATC.

Child & Family Service strongly supports updating the base operating budget of the Department of the Attorney General. The increase proposed by HB 452 provides funding to support the cost of consultation, coordination, technical assistance, and assures program integrity and consistency throughout the state.

SATC frequently assists its sister sexual assault centers to ensure a high standard of quality care across Hawai'i. SATC provides oversight as we, the local sex assault center, deliver 24/7 crisis response, counseling, and education services throughout Maui County. Since the 2007 fiscal year, the State appropriation for statewide sexual assault services has been \$2,000,000. The increase proposed in this bill will allow the base operating budget to remain for the provision of direct services, adding monies to the SATC to focus solely on statewide coordination efforts. Previously, resources needed to provide adequate and necessary technical assistance were allocated from the \$2,000,000 operating budget; however, this results in a diversion from much needed direct services funding at the county level.

As a new Director in 2012, the support offered by the SATC was critical to my understanding and administration of the Maui Sexual Assault Center. Through quarterly face-to-face meetings, training and countless phone calls between SATC staff and myself, I was able to understand my role as director; furthermore, I am able to advocate for the needs of the Maui County community. The dialogue and collaboration that takes place between the SATC and its sister agencies is unlike all other contracts I oversee. Without question, our relationships are respectful and collaborative; we truly partner to provide the best possible services for victims statewide, always mindful of the unique needs of our different island communities.



Should HB 452 receive support, the Maui Sexual Assault Center will benefit from an increased direct services budget. With an increased budget, the Maui Sexual Assault Center will fund prevention and education services on the islands of Molokai and Lanai. Currently, funding restricts service provision in these highly rural communities of Maui County. We would also increase much needed clinical therapy services for survivors and loved ones; since this service requires master's level and/or licensed professionals, its high cost limits our provision. With more monies we will provide clinical therapy on Maui and Molokai, and work closely with service providers on Lanai to ensure victims on all islands of Maui County have treatment options.

I urge you to support the base operating budget increase as written in HB 452, as it will not only provide the SATC with funding it needs to provide consultation and critical support to the local sex assault centers, but will increase the amount of monies each county receives to provide direct services.

Thank you for this opportunity to testify.

**LATE**

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*Karen Teshima*

**Our Programs**

*Enhanced Healthy Start*

*Healthy Start*

*Preschool and School Age*

*Sexual Assault Support*

*Services*

*Teen Court*

Date: February 9, 2015

To: The Honorable Karl Rhoads, Chair  
The Honorable Joy San Buenaventura, Vice Chair  
House Committee on Judiciary

From: Kathleen McGilvray, Chief Executive Officer  
Lorraine Davis, Chief Operating Officer  
YWCA of Hawaii Island

Re: Testimony in Support of House Bill 452  
Relating to Statewide Sexual Assault Services

On behalf of the board of directors, staff and the many individuals and families who benefit from YWCA Sexual Assault Support Services program, thank you for allowing us this opportunity to provide testimony in strong support of House Bill 452 (H.B. 452).

H.B. 452 requests funds to update the base operating budget of the Department of the Attorney General (the AG) in support of the development, delivery and maintenance of quality, sustainable programs to provide sexual assault services Statewide.

The Sex Abuse Treatment Center (SATC), a program of the Kapi'olani Medical Center for Women and Children (KMCWC) administers state funding through a master contract between the AG and the KMCWC for sexual assault services provided by the YWCA of Hawaii Island for the entire island of Hawaii. Our Sexual Assault Support Services (SASS) provide direct services that ensure survivors and their loved ones have access to the highest standard of care no matter where they may reside on the island, and that communities in our county are empowered to combat sexual violence. SATC has worked with all counties in the state of Hawaii to provide a high degree of network-wide coordination and program integrity. To that end, SATC provides technical assistance in the form of ongoing planning, oversight, and consultation.

As a provider, the technical assistance provided by SATC has been invaluable. Through their expertise and assistance, the SASS program has been able to standardize care across the island, establish victim based policies and procedures, improve systems of care and direct service, receive training otherwise not available and ground the program in practices that are beneficial to the survivor and their families. The staff and resources made available by SATC have become our "go to" experts for our program. We have used

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**Our Mission: YWCA Hawai'i Island is dedicated to eliminating racism, empowering women,  
And promoting peace, justice, freedom, and dignity for all.**

*A partner agency of the Hawai'i Island United Way*

them for training, discussing difficult cases, reviewing processes and quality improvement activities.

SATC has worked closely with all sexual assault support centers across the state to standardize care, provide technical oversight, and ensure compliance as well as worked with other entities to bring the issue of sexual violence and the need for care to the forefront in our communities.

Supporting H.B. 452 will allow this close, collaborative partnership between government and community entities to continue and the State of Hawaii will realize the best possible value for every dollar spent on sexual assault services. Our program has been able to benefit from the skill, wisdom, and experience possessed by its sister organizations on other islands, which would not be possible if we were working independently and without SATC's coordinating efforts. Our program believes that having integrated, statewide network of centers sharing a uniform set of practice standards, procedures, and materials, and a strong program of training and compliance monitoring is necessary to delivering quality services to our victims and their families.

Presently, base operating funds for statewide sexual assault services in the amount of \$2,000,000 per year – which has remained unchanged since 2007 – are divided between direct services and technical assistance. The resources made available by H.B. 452 will allow the entire \$2,000,000 to be used for direct services, including 24/7 crisis intervention, counseling, survivor advocacy, prevention and educational outreach, while still fully funding the technical assistance that supports continued development and consisting both across the network of sexual assault centers and systemically in association with other in-state stakeholders. The lack of change since 2007 has whittled away at the amount of technical services and the amount of direct service contract amounts that SATC has been able to provide to the outlying centers. Our center specifically has had to adjust services, staffing, and resources to be able to meet the increasing needs of the victim and the increasing costs to do business without the benefit of increased support in funding. An area of direct service that was reduced in past years was prevention education, creating an atmosphere of a program that is reactive rather than proactive.

With the additional proposed funding, the YWCA of Hawaii would be able to provide much needed prevention education services which currently is not being offered. The SASS program would work with schools using State approved curriculum about topics such as healthy touch, healthy relationships, and other topics that support the prevention of sexual violence. The additional funding would also support a full time crisis intervention specialist position. This position would provide outreach to victims who have just entered into the SASS program via a Children's Justice Center Forensic Interview or a Sex Assault Forensic Exam shortly after the interview/exam to support the victims

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**YWCA of Hawai'i Island**  
**1382 Kilauea Avenue**  
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**808-935-7141**

and help them prepare for entry into therapy. This position would work with other community providers to support their clients who have been sexually assaulted. Your support of H.B. 452 will lend to the sustainability of the sexual abuse service programs across the State of Hawaii.

By guaranteeing the sustainability of our programs, your support of H.B. 452 assures that survivors and their families across the islands will receive the care that is crucial to recovery from the effects of sexual assault and equip communities statewide with the service needed to prevent acts of sexual violence.

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And promoting peace, justice, freedom, and dignity for all.**

*A partner agency of the Hawai'i Island United Way*

**COMMITTEE ON JUDICIARY**

Rep. Karl Rhoads, Chair

Rep. Joy A. San Buenaventura, Vice Chair

DATE: Tuesday, February 10, 2015

TIME: 2:00 p.m.

PLACE: Conference Room 325

**STRONG SUPPORT FOR H.B. 452** that requests funding for updates to the base operating budget of the Department of the Attorney General (the AG) in support of the development, delivery and maintenance of quality, sustainable programs to provide sexual assault services Statewide.

The Sex Assault Treatment Center (SATC) administers state funding through a master contract between the Attorney General and Kapiolani Medical Center for Women and Children, for sexual assault services provided by SATC, the YWCA of Kaua'i, Child & Family Service Maui (including Moloka'i and Lana'i), and the YWCA of Hawai'i Island. **These sexual assault centers partner to provide direct services that ensure survivors and their loved ones have access to the highest standard of care no matter where they may reside in the State of Hawai'i.** To achieve this degree of network-wide coordination and program integrity, SATC further provides technical assistance in the form of ongoing planning, oversight, and consultation.

Through this close, collaborative partnership between government and community entities, the State of Hawai'i realizes the best possible value for every dollar spent on sexual assault services. Efficiency is attained by having an integrated, statewide network of centers sharing a uniform set of practice standards, procedures, and materials, and a strong program of training and compliance monitoring. Additionally, each center is able to benefit from the skill, wisdom, and experience possessed by its sister organizations, which would not be possible if each were acting in isolation and without sufficient coordination.

SATC and their partners also continuously engage with other Hawai'i government and community stakeholders in order to support system-wide positive change and integration.

Recent successes include the publication, in association with the University of Hawai'i and the Hawai'i Coalition Against Sexual Assault (HCASA), of a **comprehensive document detailing Best Practice Standards for the Delivery of Sexual Assault Services in Hawai'i.**

The SATC and our partners also collaborate closely with Hawai'i businesses, health care providers, non-profits, and government entities, to developed and distribute targeted products, including online toolkits and an ongoing RESPECT campaign, in order to cultivate a local, grassroots culture of crime prevention and survivor-focused compassion.

Presently, base operating funds for statewide sexual assault services in the amount of \$2,000,000 per year – which has remained unchanged since 2007 – are divided between direct services and technical assistance. The resources made available by **H.B. 452 will allow the entire \$2,000,000 to be used for direct services**, including 24/7 crisis intervention, counseling, survivor advocacy, prevention and educational outreach.

SATC would still be able to provide the technical assistance that supports continued development and consistency both across our network of sexual assault centers and systemically in association with other in-state stakeholders.

By guaranteeing the sustainability of SATC's programs, your support of H.B. 452 assures that survivors and their loved ones across the islands will receive the care that is crucial to recovery from the effects of sexual assault, and equip communities statewide with the service needed to prevent acts of sexual violence.

Mahalo for the opportunity to testify,

Ann S. Freed Co-Chair, Hawai'i Women's Coalition  
Contact: [annsfreed@gmail.com](mailto:annsfreed@gmail.com) Phone: 808-623-5676



**LATE**

**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-EIGHTH LEGISLATURE, 2015**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 452, RELATING TO STATEWIDE SEXUAL ASSAULT SERVICES.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY

**DATE:** Tuesday, February 10, 2015 **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Room 325

**TESTIFIER(S):** Russell A. Suzuki, Attorney General, or  
Patricia T. Ohara, Deputy Attorney General

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Chair Rhoads and Members of the Committee:

The Department of the Attorney General ("Department") supports the intent of this bill and provides the following comments.

Section 1 of this bill appropriates \$380,000 in general funds to the Department for fiscal years 2015-2016 and 2016-2017, provided that the moneys appropriated shall be used to increase the amount of moneys budgeted by the Department for statewide sexual assault services to \$2,380,000 per fiscal year.

In addition, section 2 of this bill provides that beginning with fiscal year 2017-2018, the Department shall budget at least \$2,380,000 per fiscal year for statewide sexual assault services.

While we support the intent of this bill to appropriate more funds for statewide sexual assault services, we believe that the additional funds should not be conditioned on mandatory levels of funding. We believe that such mandates infringe on the discretion needed by the Attorney General to address the competing fiscal requirements in executing the Department's operations.

In particular, section 1 of this bill conditions the \$380,000 general fund appropriation on the Department using such moneys to increase the amount budgeted for statewide sexual assault services to \$2,380,000 per fiscal year. While the Department has expended in the neighborhood of \$2,000,000 for the past several years for statewide sexual assault services, and the proposed appropriation would bring that amount up to approximately \$2,380,000, there is no assurance that the Department will continue to receive funding at the \$2,000,000 level or choose to budget the services at the bill's prescribed level given the moneys available to the Department.

Further, section 2 of this bill violates the separation of powers between the executive and legislative branches of government because the spending of an appropriation is an inherently executive function. "[T]he exercise of discretion in determining when and how to distribute funds is an executive function." McInnish v. Riley, 925 So.2d 174, 182 (Ala. 2005) (internal quotation marks and bracket submitted).

We note that the \$380,000 increase in the statewide sexual assault services program is currently proposed in the biennium budget request for the Department.

We asked that this bill be passed with the \$380,000 general fund appropriation to the Department for statewide sexual assault services, but that the mandatory conditions relating to budgeting be deleted from this bill.

We respectfully ask the Committee to pass this bill with the recommended amendments.