



# JUDICIARY COMM. NO. 11

Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII  
417 SOUTH KING STREET • ALI'OLANI HALE • HONOLULU, HAWAII 96813 • TELEPHONE (808) 539-4900 • FAX (808) 539-4855

**Rodney A. Maile**  
ADMINISTRATIVE DIRECTOR

**Brandon M. Kimura**  
DEPUTY ADMINISTRATIVE DIRECTOR

December 13, 2019

The Honorable Ronald D. Kouchi  
President of the Senate  
State Capitol, Room 409  
Honolulu, HI 96813

The Honorable Scott K. Saiki  
Speaker of the House of Representatives  
State Capitol, Room 431  
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Pursuant to Section 601-3.6, Hawai'i Revised Statutes, the Judiciary is transmitting a copy of the *Report on the Spouse and Child Abuse Special Account*, including an accounting of the receipts of and expenditures from the account.

In accordance with Section 93-16, Hawai'i Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: [http://www.courts.state.hi.us/news and reports/reports/reports.html](http://www.courts.state.hi.us/news_and_reports/reports/reports.html).

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 539-4896, or via e-mail at [Karen.T.Takahashi@courts.hawaii.gov](mailto:Karen.T.Takahashi@courts.hawaii.gov).

Sincerely,

A handwritten signature in blue ink that reads "Rodney A. Maile".

Rodney A. Maile  
Administrative Director of the Courts

Enclosure

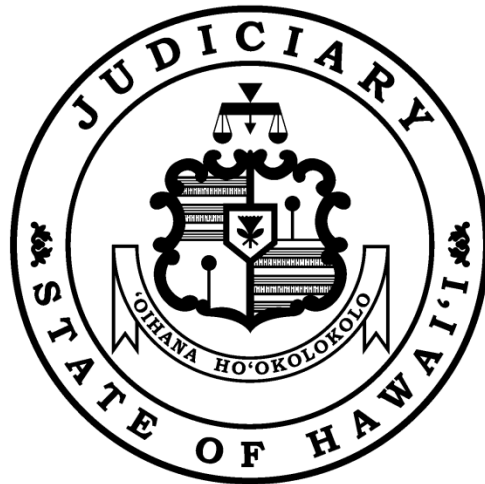
c: Legislative Reference Bureau Library  
Office of the Clerk, Hawai'i State Senate  
Office of the Clerk, Hawai'i House of Representatives

**ANNUAL REPORT TO THE THIRTIETH LEGISLATURE  
2020 REGULAR SESSION**

**ON**

**ACT 232, SESSION LAWS OF HAWAI'I 1994  
HRS § 601-3.6**

**A Report on the Spouse and Child Abuse Special Account**



**Prepared by:**

**Circuit Court, First Circuit  
The Judiciary, State of Hawai'i**

**December 2019**

**ANNUAL REPORT TO THE THIRTIETH LEGISLATURE  
2020 REGULAR SESSION**

**ON**

**ACT 232, SESSION LAWS OF HAWAI'I 1994  
HRS § 607-3.6**

**A Report on the Spouse and Child Abuse Special Account**

This report is respectfully submitted pursuant to Act 232, Session Laws of Hawai'i 1994, HRS § 601-3.6, which requests an annual report on the Spouse and Child Abuse Special Account.

In 1994, the Spouse and Child Abuse Special Account, placed in the Judiciary, was created by the Legislature, State of Hawai'i, for the purpose of developing and/or expanding new and existing programs. The scope of the Judiciary's Special Account may include, but is not limited to, grants or purchases of services which support or provide domestic violence or child abuse intervention or prevention, as authorized by law, as well as staff programs.

The Judiciary's Special Account is financed through a portion of the monies collected by the Department of Health from the issuance of birth, death, and marriage certificates. In addition, any fines collected pursuant to HRS Chapter 586-11 (Violation for an Order of Protection) and contributions from state tax refunds are deposited into the Judiciary's Special Account.

**Programs and Activities Funded Through the Spouse and Child Abuse Special Fund**

Monies from the Judiciary's Special Account continue to provide funding for a broad range of programs, projects and activities statewide, which address interventions in domestic violence and the prevention of child abuse and neglect. The process of determining which services, programs, and activities received funding involved internal planning and collaboration within the Judiciary, as well as coordination with private and public stakeholders in the community.

The following programs, projects and activities were funded by the Judiciary's Special Account in Fiscal Year 2019:

**1. Purchase of Service Programs**

The following nonprofit organizations named below received funding to provide or supplement their contracted services with the Judiciary:

- Child and Family Service/Turning Point for Families (Hawai'i Island) Funding was used for core domestic violence services. The specific services funded included the following:
  - Victim support counseling
  - Assistance in preparation of temporary restraining orders
  - Advocacy for victims
- Child and Family Service/Developing Options to Violence (O'ahu) The Developing Options to Violence program provided specialized domestic violence intervention services which included:
  - Group/individual counseling services for adult survivors of domestic violence
  - Counseling services for children and youth who have been a victim or witness to family violence.
  - Domestic violence intervention services for juveniles who have been adjudicated by the Family Court for the charge of abuse of family or household member or a related charge, such as intimate partner violence. Efforts also involved outreach to engage family members of the juveniles in services.
  - Domestic violence intervention services for adult offenders
- Domestic Violence Action Center (O'ahu)

The following advocacy services for victims of domestic violence were provided by the Domestic Violence Action Center:

  - Advocacy and support services for victims filing temporary restraining order
  - Civil legal services
  - Hotline services (information and referrals)
  - Case management
- Parents and Children Together/Family Peace Center (O'ahu and Maui)

Funding was provided to the Family Peace Center on O'ahu and Maui for essential domestic violence services. The specific services provided included:

  - Victim advocacy and support groups
  - Counseling and/or case management for adult survivors/victims
  - Counseling for children and youth who have been a victim or witness to family violence.
  - Domestic violence intervention services for juveniles who have been adjudicated by the Family Court for the charge of abuse of family or household member or a related charge, such as intimate partner violence. Efforts also involved outreach to engage family members of the juveniles in services.
  - Domestic violence intervention services for adult offenders
- Parents and Children Together/Family Visitation Center (O'ahu & Kaua'i)

Supervised child visitation and exchange services were provided to court referred families on the islands of O'ahu and Kaua'i. On O'ahu, the Center serviced families in Honolulu, and on Kaua'i, the Center operated in Kapa'a. The majority of referrals involved temporary restraining orders and orders of protection, while other referrals involved divorce, child custody, and paternity cases.

- YWCA of Kaua'i/Alternatives to Violence Program (Kaua'i) Funding of this program allowed the provision of domestic violence intervention services to juveniles referred from the Family Court through the Alternatives to Violence Program. The program also worked with family members and the juvenile's probation officers, when needed.

Many of the juveniles in treatment have displayed increased understanding and empathy of others, an increase in self-awareness, development of interpersonal skills, and academic improvement.

## **2. Federal Grant Projects**

Matching funds from the Judiciary's Special Account were used for the federally funded Judiciary grant projects listed below:

- State Access and Visitation Program Grant

This formula grant is awarded to the Judiciary annually by the U.S. Department of Health and Human Services, Office of Child Support Enforcement, to provide supervised child visitation and exchange services in a safe setting. The federal grant funds and matching funds from the Special Account were used to provide these services on the islands of O'ahu and Hawai'i. Priority was given to those cases involved in domestic violence, or other high conflict situations. The federal grant was awarded in the amount of \$100,000 and required a 10% match in funds, \$11,111 in matching funds from the Special Account were allocated to these services. Parents and Children Together/Family Visitation Center on O'ahu received a purchase of service contract to provide these services.

- Stop Violence Against Women Act Grant / "Intersection of Domestic Violence and Technology"

Funding under this federal Act provided domestic violence trainings for a statewide audience. The following are brief descriptions of the trainings:

“Intersection of Domestic Violence and Technology,” Statewide General Audience

On September 4, 2018, the Judiciary and the Hawai'i State Coalition Against Domestic Violence collaborated to hold the training on O'ahu. The audience included juvenile and adult probation staff, Judiciary administration, domestic violence advocacy staff, domestic violence shelter staff, staff from the prosecutor's and public defender's offices, and domestic violence intervention program staff from across the state. The speaker, Ian Harris of the National Network to End Domestic Violence (NNEDV), covered the following topics: Foundations of Technology, Cultural Issues, Identifying Abuse, Tech Safety Planning, and Evidence Collection.

“Intersection of Domestic Violence and Technology,” Statewide Family Court Symposium

On September 5, 2018, Ian Harris of NNEDV spoke for a full day at the

Statewide Family Court Symposium. The audience included Family Court judges and administration from across the state. Mr. Harris covered the following topics: Foundations of Technology, Culture and Technology, Tech Misuse Dynamics and Discovery, Tech Evidence, and Tech Responsive Dispositions and Enforcement.

#### “DV 101: Fundamentals of Domestic Violence,” Statewide

The DV 101 training was in response to the findings and recommendations from the Domestic Violence Fatality Review Team and a statewide survey of state and county workers that indicated that the majority of the respondents had little or no training on domestic violence. This foundational domestic violence training focuses on three topic areas: Dynamics of Domestic Violence, Characteristics of Abusers, and Childhood Development and Domestic Violence. The annual training is the result of the collaborative efforts and joint resources of the Department of Health, the Department of the Attorney General, the Department of Human Services, and the Judiciary. In 2019, DV 101 was held on Kaua‘i on March 21, 2019; on Hawai‘i Island on April 18, 2019; on Maui on May 7, 2019; and on O‘ahu on June 4, 2019. Audience members included staff from each of the coordinating agencies, plus the Department of Education, county police departments, the Department of Public Safety, county prosecutor’s offices, and service provider agencies.

#### “Conference on Crimes Against Women”

From April 8 to 11, 2019, a group of ten Judiciary staff from across the state attended the Conference on Crimes Against Women in Dallas, TX. Conference presentations covered best practices in combatting crimes against women with sessions lead by national experts on domestic violence, stalking, strangulation, sex assault, and human trafficking. Staff who attended the conference work in the field of domestic violence as probation officers, probation supervisors, and probation administrators, and program specialists who oversee the Judiciary domestic violence contracts.

#### “Enhancing Judicial Skills in Domestic Violence Cases Workshop”

From April 14 to 17, 2019, three Family Court judges, one from O‘ahu and two from Hawai‘i Island, participated in the national training held in Santa Fe, New Mexico. The four-day intensive workshop for judges covered victim and perpetrator behavior, fact-finding, access to justice and judge's role in community response to domestic violence, fairness and cultural issues in DV cases, decision making skills, and enforcement, along with practical courtroom exercises.

### **3. Trainings, Meetings, Other Expenses**

Monies from the Special Account were used for the following:

- \$10,000 was used to supplement a contract with a private therapist to work with

clients in the Girls Court of the Family Court on O‘ahu. The Girls Court on O‘ahu, which was established as one of the first of its kind, has been recognized as a national model for other courts throughout the nation. This specialized court is designed to work with girls and boys who identify as female whose cases are adjudicated by the Family Court. Since the inception of this court in 2004, most of the participants referred to the court have evidenced trauma issues related to child, sexual, and/or domestic violence in various forms.

- Utilization of the Spousal Abuse Risk Assessment (SARA) by probation officers in all circuits. The SARA is a validated domestic violence risk assessment used with domestic violence offenders. While it is usually applied electronically, new officers who have not been certified must initially use hard copies of the assessment.
- \$3,600 was used for maintenance of an electronic database containing assessment scores of domestic violence offenders on probation in the state.
- Funds also were provided for travel to attend the 2019 Access and Visitation Coordinators Meeting.

### **Special Fund Assessment (Act 34, SLH 1964)**

The Special Fund Assessment fee for FY 2019 was \$3,277.

### **Summary**

The Judiciary's Spouse and Child Abuse Special Account continues to enable the Judiciary to develop, implement and maintain a proactive stance in achieving the mission of HRS § 601-3.6, to support and provide spouse or child abuse intervention or prevention in the state of Hawaii. One of the major strengths in the establishment of the Special Account has been the discretion given to the Judiciary, which has encouraged and allowed funding for a comprehensive range of services and activities, which would have not been possible otherwise. As a result, services for victims of domestic violence have been maintained and appropriate and effective intervention services for victims, children, and offenders remain available.

The opportunity for statewide training of judges and Judiciary staff on a wide range of important and inter-connected issues relating to domestic violence and child abuse and neglect continues to be possible and addresses an ongoing need. Additionally, the ability to include other government agencies and service providers in domestic violence trainings increases collaboration, leading to working better together in closing gaps and preventing further victimization.

The Judiciary remains committed to the responsible use of monies from the Special Account to promote the safety and well-being of domestic violence and child abuse and neglect victims and family members, the accountability of offenders, and taking a strong and committed stance on these important issues.

**THE JUDICIARY  
SPOUSE & CHILD ABUSE SPECIAL FUND  
FOR THE FISCAL YEAR 2018-2019**

REVENUE CODES	HRS SECTION		
0222	§ 572-5	MARRIAGE LICENSES	107,186
0735	§235-105.5	TAXES COLLECTED UNDER ACT228, SLH2004	35,602
1101	§ 338-14.5	FEES, CERTIFIED COPIES OF HEALTH STATISTICS RECORDS	288,046
1567	§§ 580-10, 586-4	FINES - VIOLATION OF TEMPORARY RESTRAINING ORDER/PROTECTIVE ORDER (ACT 172/98 AND 200/99)	567
		SUB-TOTAL	<hr/> 431,401
0288		INVESTMENT POOL EARINGS (ACT119/98)	2,440
1364		REFUND/REIMBURSEMENT PRIOR PERIOD EXPENSES	857
		TOTAL REVENUES	<hr/> 434,698
 OTHER CURRENT EXPENSES			
3001		EDUCATIONAL SUPPLIES	0
3203		PRINTED FORMS	0
3209		OTHER OFFICE SUPPLIES	51
3301		FOOD SUPPLIES	2,000
3502		SUBSCRIPTIONS	0
4102		CAR MILEAGE - OTHERS	0
4201		TRANSPORTATION, INTRA-STATE - EMPLOYEES	602
4202		TRANS INTRA-OTHERS	0
4301		SUBSISTENCE ALLOWANCE, INTRA-STATE - EMPLOYEES	393
4302		SUBSISTENCE ALLOWANCE, INTRA-STATE - OTHERS	0
4401		TRANS, OUT OF STATE-EMPLOYEES	3,541
4402		TRANSPORTATION, OUT OF STATE - OTHERS	0
4501		SUBS, OUT OF STATE - EMPLOYEES	4,290
4502		SUBS, OUT OF STATE - OTHERS	0
4601		HIRE OF PASSENGER CARS - EMPLOYEES	371
4602		HIRE OF PASSENGER CARS - OTHERS	0
4801		OTHER TRAVEL	356
5503		OTHER RENTAL OF LAND, BLDG	50
6609		PURCHASE OF SERVICES CONTRACTS	451,717
6619		OTHER PUBLIC SUPPORT AND ASSISTANCE	0
7198		OTHER SERVICES ON FEE BASIS	15,114
7204		SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	3,277
7205		TRAINING COSTS AND REGISTRATION FEES	1,169
7300		INTEREST ON DELINQUENT PAYMENTS	12
		TOTAL OTHER CURRENT EXPENSES	<hr/> 482,943