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Rodney A. Maile
ADMINISTRATIVE DIRECTOR

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December 20, 2018

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.

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.

Sincerely,

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

Rodney A. Maile
Administrative Director of the Courts

Enclosure

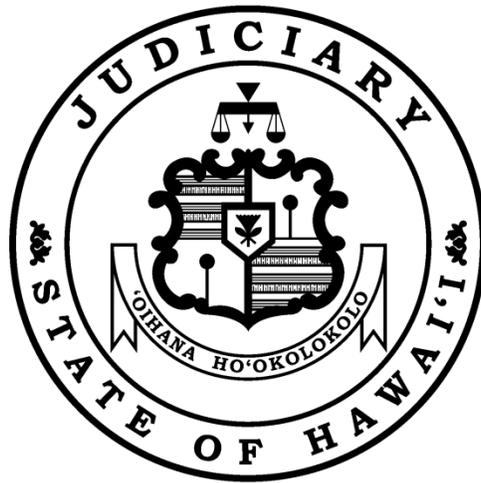
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Office of the Clerk, Hawai'i State Senate
Office of the Clerk, Hawai'i House of Representatives

**ANNUAL REPORT TO THE THIRTIETH LEGISLATURE
2019 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 2018

**ANNUAL REPORT TO THE THIRTIETH LEGISLATURE
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**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 prepared pursuant to Act 232, Session Laws of Hawai'i 1994, HRS § 601-3.6(d), which requires 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 § 586-11 (Violation of an Order for 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 2018:

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
 - Outreach to engage family members of the juveniles in services in above intervention services
 - Domestic violence intervention services for adult offenders

- Domestic Violence Action Center (O'ahu)

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

 - Advocacy and support services for victims filing petitions for temporary restraining orders
 - Civil legal services
 - Hotline services (information and referrals)
 - Case management

- Parents and Children Together / Family Peace Center (O'ahu) Funding was provided to the Family Peace Center on O'ahu to supplement 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
 - Outreach to engage family members of the juveniles in above intervention 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 Waipahu, and on Kaua'i, the Center operated in Kapa'a. The majority of referrals involved temporary restraining orders and orders of protection, however, 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, 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 / "Effective Interventions for Batterers"
The domestic violence Program Specialist attended a specialized three day conference on the intersection of domestic violence and technology. The training provided tools, information and resources to respond to technology abuse to enhance services for survivors of violence, and to hold offenders accountable.
- Stop Violence Against Women Act Grant / "Safety During Visitation"
Specialized training on "Making Informed Decisions in Domestic Violence Cases" was conducted at the September 2017 Family Court Symposium held at the Ronald T.Y. Moon Kapolei Court for all Family Court judges and administrators statewide. The Honorable Elizabeth Pollard Hines of Michigan and James E. Henderson, Jr. of the Battered Women's Justice Project spoke on identifying red flags of battering in temporary restraining order requests, identifying questions to

assess who is at risk, being aware of implicit bias, neurobiology of trauma, and why victims remain in abusive relationships.

➤ Stop Violence Against Women Act Grant / "Understanding the Dynamics and Impact of Domestic Violence"

Funding was used to provide domestic violence trainings to a statewide audience. The following are brief descriptions of the trainings:

“Domestic Violence and Procedural Justice in a Court Setting”

On March 16, 2018, court bailiffs from across the state participated in a full day training that covered the Dynamics of Domestic Violence and Procedural Justice. Dynamics of Domestic Violence enhanced the knowledge base of participants to better prepare them to facilitate victim safety and batterer accountability in cases involving domestic violence. Procedural Justice built upon the earlier topic and participants learned about concepts of procedural justice and how to apply them to their role within the justice system to promote access to justice and safety for consumers of court services.

“Domestic Violence Per Diem Judicial Education Workshop”

On March 17, 2018, Per Diem Judges from across the state participated in a full day training on the following topics: Dynamics of Domestic Violence, Procedural Fairness, and Applying a Lens of Domestic Violence to Your Work. The initial session laid the foundation where participants worked together to evaluate the impact of violence on adult and child victims. Additionally, participants learned about the motivation, behavior, and courtroom presentation of perpetrators and identifying their specific rehabilitative needs. The rest of the training provided participants with tools that offer principles and strategies designed to assist courts in structuring a system that satisfies the constitutional mandates and judicial ethical considerations, while meeting the needs of all parties involved in the protection order process.

“DV 101: Fundamentals of Domestic Violence”

On May 18, 2018, a one-day basic domestic violence training was held for state and county workers on Maui. The 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. The training focused on three topic areas: Dynamics of Domestic Violence, Characteristics of Abusers, and Childhood Development and Domestic Violence.

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 who are adjudicated by the Family Court. Since the inception of this court in 2004, the majority, if not all, of the girls referred have evidenced trauma issues relevant to child, sexual, and/or domestic violence in various forms.
- Family Court Symposium (September 2017)
Monies from the special account were also used to cover additional costs for the Symposium, including air and ground transportation, lodging/parking including airport parking for neighbor island attendees, and supplies.
- Utilization of the Spousal Abuse Risk Assessment (SARA) to be used 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.
- Three Family Court judges, two from O'ahu and one from Hawai'i Island attended a national training, "Enhancing Judicial Skills in Domestic Violence", which was held in April 2018 in California. This training has been established exclusively for judges and has been the leading venue for judges hearing civil and/or criminal domestic violence cases.

The Judiciary has found that sending judges to this specialized four-day institute in the past has proven to be extremely beneficial in providing knowledge, developing skills, and ultimately promoting the safety of victims and children.

- Maintenance of an electronic database containing assessment scores of domestic violence offenders on probation in the state was provided by \$3,600 from the account.
- Subscriptions to professional journals on domestic violence were purchased.

Special Fund Assessment (Act 34, SLH 1964)

The Special Fund Assessment fee for FY 2018 was \$20,785.

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 Hawai'i. 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 on-going 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 to taking a strong and committed stance on these important issues.

THE JUDICIARY
SPOUSE AND CHILD ABUSE SPECIAL FUND
FOR THE FISCAL YEAR 2017-2018

REVENUE CODES	HRS SECTION		
0222	§572-5 100, 318.50	MARRIAGE LICENSES	100,318
0735	§235-105.5	TAXES COLLECTED UNDER ACT228, SLH2004	35,970
1101	§338-14.5	FEES, CERTIFIED COPIES OF HEALTH STATISTICS RECORDS	281,921
1567	§§580-10, 586-4	VIOLATION OF TEMPORARY RESTRAINING ORDER/PROTECTIVE ORDER (ACT 172/98 AND 200/99)	1,250
		SUB-TOTAL	<u>419,459</u>
0288		INVESTMENT POOL EARNINGS (ACT119/98)	2,386
1364		REFUND/REIMBURSEMENT PRIOR PERIODS EXPENSES	<u>975</u>
		TOTAL REVENUES	<u><u>422,820</u></u>
CURRENT EXPENSES			
3001		EDUCATIONAL SUPPLIES	0
3203		PRINTED FORMS	240
3209		OTHER OFFICE SUPPLIES	25
3301		FOOD SUPPLIES	2,480
3502		SUBSCRIPTIONS	320
4102		CAR MILEAGE - OTHERS	0
4201		TRANSPORTATION, INTRA-STATE - EMPLOYEES	3,071
4202		TRANSPORTATION, INTRA-STATE - OTHERS	0
4301		SUBSISTENCE ALLOWANCE, INTRA-STATE - EMPLOYEES	1,858
4302		SUBSISTENCE ALLOWANCE, INTRA-STATE - OTHERS	1,586
4401		TRANSPORTATION, OUT OF STATE - EMPLOYEES	3,297
4402		TRANSPORTATION, OUT OF STATE - OTHERS	1,959
4501		SUBSISTENCE ALLOWANCE, OUT OF STATE - EMPLOYEES	5,034
4502		SUBSISTENCE ALLOWANCE, OUT OF STATE - OTHERS	403
4601		HIRE OF PASSENGER CARS - EMPLOYEES	1,208
4602		HIRE OF PASSENGER CARS - OTHERS	64
4801		OTHER TRAVEL	67
5603		OTHER RENTAL OF EQUIPMENT	0
6609		PURCHASE OF SERVICE CONTRACTS	498,236
6619		OTHER PUBLIC SUPPORT AND ASSISTANCE	0
7198		OTHER SERVICES ON FEE BASIS	17,861
7204		SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	20,785
7205		TRAINING COSTS AND REGISTRATION FEES	847
7215		OTHER MISC CURRENT EXPENSES	<u>0</u>
		TOTAL OTHER CURRENT EXPENSES	<u><u>559,341</u></u>