

Office of the Administrative Director of the Courts – THE JUDICIARY • STATE OF HAWAII
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Rodney A. Maile
ADMINISTRATIVE DIRECTOR

Brandon M. Kimura
DEPUTY ADMINISTRATIVE DIRECTOR

December 9, 2021

Via electronic submission

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

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

Dear President Kouchi and Speaker Saiki:

Pursuant to Act 19, Session Laws of Hawai'i 2020, the Judiciary is transmitting a copy of the *Report on Domestic Violence and Increased Offender Accountability*.

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: https://www.courts.state.hi.us/news_and_reports/reports/reports.

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 808-539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rodney A. Maile".

Rodney A. Maile
Administrative Director of the Courts

Attachment

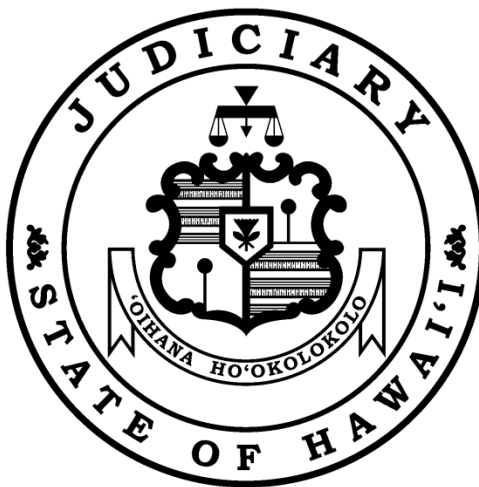
- c: Legislative Reference Bureau Library
Office of the Clerk, Hawai'i State Senate
Office of the Clerk, Hawai'i House of Representatives

**ANNUAL REPORT TO THE THIRTY-FIRST LEGISLATURE
2022 REGULAR SESSION**

ON

**ACT 19, SESSION LAWS OF HAWAI'I 2020
HRS § 709-906**

A Report on Domestic Violence and Increased Offender Accountability



Prepared by:

The Judiciary, State of Hawai'i

December 2021

**ANNUAL REPORT TO THE THIRTY-FIRST LEGISLATURE
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**ACT 19, SESSION LAWS OF HAWAII 2020
HRS § 709-906**

A Report on Domestic Violence and Increased Offender Accountability

Effective January, 1, 2021, Act 19, SLH 2020 (Act 19), established a five-year pilot project “to strengthen state and county responses to domestic violence and increase offender accountability by” creating a petty misdemeanor abuse of family or household member offense, permitting a deferred acceptance of guilt plea for petty misdemeanor and misdemeanor abuse of family or household member charges, and requiring the Judiciary to report data on the project.

For regular sessions of 2022, 2023, 2024, 2025 and 2026, the Legislature required the Judiciary to submit a report on cases filed with the Judiciary involving offenses under section 709-906, Hawaii Revised Statutes. The report is to include the number of cases, by category, that were dismissed, the number found not guilty, the number found guilty, and other outcomes. In the cases where domestic violence intervention or parenting classes were court ordered, the report shall include the number of cases by category, in which the program was completed or not completed as well as the consequences for failing to complete the program.

The table below reports the numbers by category: felony, misdemeanor, and petty misdemeanor.

	Felony	Misdemeanor	Petty Misdemeanor	All Cases
709-906 Cases Filed with the Judiciary 1/1/2021 – 6/30/2021	206	438	87	731
Pending Adjudication	128	245	36	409
Dismissed w/ Prejudice	7	24	2	33
Dismissed w/o Prejudice	51	60	19	130
Noelle Prosequi	11	44	12	67
Other Disposition	1	2	0	3
Plead Guilty	2	14	1	17
DVI Court Ordered	2	14	1	17
DVI Completed*	0	0	0	0
DVI Not Completed*	2	14	1	17
Resentenced to Probation*	0	0	0	0

	Felony	Misdemeanor	Petty Misdemeanor	All Cases
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Parenting Court Ordered	1	1	0	2
Parenting Completed*	0	0	0	0
Parenting Not Completed*	1	1	0	2
Resentenced to Probation*	0	0	0	0
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Finding of Guilt	2	12	0	14
DVI Court Ordered	2	12	0	14
DVI Completed*	0	0	0	
DVI Not Completed*	2	12	0	14
Resentenced to Probation*	0	0	0	0
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Parenting Court Ordered	0	1	0	1
Parenting Completed*	0	0	0	0
Parenting Not Completed*	0	1	0	1
Resentenced to Probation*	0	0	0	0
Resentenced to Maximum Term of Incarceration*	0	0	0	0
DAG	0	17	8	25
DVI Court Ordered	0	17	8	25
DVI Completed*	0	0	0	0
DVI Not Completed*	0	17	8	25
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Deferral Set Aside*	0	0	0	0
Parenting Court Ordered	0	6	3	9
Parenting Completed*	0	0	0	0
Parenting Not Completed*	0	6	3	9
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Deferral Set Aside*	0	0	0	0
DNC	0	3	5	8
DVI Court Ordered	0	2	5	7
DVI Completed*	0	0	0	
DVI Not Completed*	0	2	5	7
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Deferral Set Aside*	0	0	0	0
Parenting Court Ordered	0	0	0	0
Parenting Completed*	0	0	0	0

	Felony	Misdemeanor	Petty Misdemeanor	All Cases
Parenting Not Completed*	0	0	0	0
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Deferral Set Aside*	0	0	0	0
No Contest	4	17	4	25
DVI Court Ordered	4	17	4	25
DVI Completed*	0	0	0	0
DVI Not Completed*	4	17	4	25
Resentenced to Probation*	0	0	0	0
Resentenced to Maximum Term of Incarceration*	0	0	0	0
Parenting Court Ordered	2	6	0	8
Parenting Completed*	0	0	0	0
Parenting Not Completed*	2	6	0	8
Resentenced to Probation*	0	0	0	0
Resentenced to Maximum Term of Incarceration*	0	0	0	0

*Act 19 became effective on January 1, 2021, in the middle of the fiscal year, and all 709-906 cases filed from that date on are being tracked. This report covers cases that were filed and disposed during the six-month period between January 1, 2021 and June 30, 2021. As it can take about seven and a half to nine months to complete a domestic violence intervention program, a client could not complete it even if their cases was filed and disposed on the first business day of the year. We should expect to see completions in the next fiscal year report as well as any consequences if programming is not completed.