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December 2, 2025

Via electronic submission

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

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

Dear President Kouchi and Speaker Nakamura:

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 Affairs and Special Projects Division at 808-539-4896, or via e-mail at Karen.T.Takahashi@courts.hawaii.gov.

Sincerely,

Brandon Kimura

Brandon M. Kimura
Administrative Director of the Courts

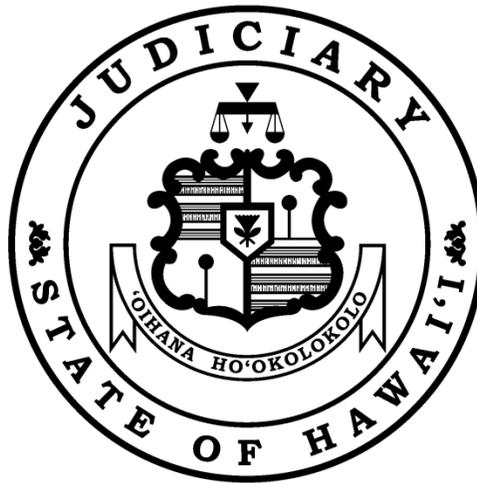
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**REPORT TO THE THIRTY-THIRD LEGISLATURE
2026 REGULAR SESSION**

Report on Domestic Violence and Increased Offender Accountability

**Pursuant to Act 19, SLH 2020
(HRS § 709-906)**



Prepared by:

The Judiciary, State of Hawai'i

December 2025

**REPORT TO THE THIRTY-THIRD LEGISLATURE
2026 REGULAR SESSION**

Report on Domestic Violence and Increased Offender Accountability

**Pursuant to Act 19, SLH 2020
HRS § 709-906**

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, Hawai'i 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 – 6/30/2025	1,533	3,494	1,751	6,778
Pending Adjudication	286	748	206	1,240
Dismissed w/ Prejudice	176	480	368	1,024
Dismissed w/o Prejudice	396	897	564	1,857
Nolle Prosequi	182	397	127	706
Acquitted	8	38	33	79
Other Disposition	181	69	10	260
Plead Guilty	101	151	50	302
DVI or DV Assessment Court Ordered*	80	121	39	240
DVI/AM Completed*	44	67	18	129
DVI/AM Not Completed*	36	54	21	111
Resentenced to Probation	4	7	1	12
Resentenced to Maximum Term of Incarceration	4	17	7	28
Parenting Court Ordered	19	17	1	37
Parenting Completed	10	7	0	17
Parenting Not Completed	9	10	1	20
Resentenced to Probation	1	0	0	1

	Felony	Misdemeanor	Petty Misdemeanor	All Cases
Resentenced to Maximum Term of Incarceration	0	0	0	0
Finding of Guilt	99	208	87	394
DVI or DV Assessment Court Ordered	83	177	75	335
DVI/AM Completed	41	79	34	154
DVI/AM Not Completed	42	98	41	181
Resentenced to Probation	2	1	0	3
Resentenced to Maximum Term of Incarceration	5	15	3	23
Parenting Court Ordered	21	21	6	48
Parenting Completed	9	10	0	19
Parenting Not Completed	12	11	6	29
Resentenced to Probation	0	0	0	0
Resentenced to Maximum Term of Incarceration	0	1	0	1
DAG	29	274	190	493
DVI or DV Assessment Court Ordered	28	269	189	486
DVI/AM Completed	17	190	126	333
DVI/AM Not Completed	11	79	63	153
Deferral Set Aside	1	3	0	4
Resentenced to Maximum Term of Incarceration	1	4	4	9
Parenting Court Ordered	8	56	25	89
Parenting Completed	4	32	12	48
Parenting Not Completed	4	24	13	41
Deferral Set Aside	0	0	0	0
Resentenced to Maximum Term of Incarceration	0	0	0	0
DNC	8	40	23	71
DVI or DV Assessment Court Ordered	8	38	23	69
DVI/AM Completed	6	31	16	53
DVI/AM Not Completed	2	7	7	16
Deferral Set Aside	0	0	0	0
Resentenced to Maximum Term of Incarceration	0	1	0	1
Parenting Court Ordered	2	5	2	9
Parenting Completed	2	5	0	7
Parenting Not Completed	0	0	2	2
Deferral Set Aside	0	0	0	0
Resentenced to Maximum Term of Incarceration	0	0	0	0
No Contest	67	192	93	352
DVI or DV Assessment Court Ordered	59	190	68	317

	Felony	Misdemeanor	Petty Misdemeanor	All Cases
DVI/AM Completed	33	79	25	137
DVI/AM Not Completed	26	111	43	180
Resentenced to Probation	0	2	2	4
Resentenced to Maximum Term of Incarceration	7	22	14	43
Parenting Court Ordered	12	35	9	56
Parenting Completed	8	22	4	34
Parenting Not Completed	4	13	5	22
Resentenced to Probation	0	0	0	0
Resentenced to Maximum Term of Incarceration	1	0	0	1

This report covers cases that were filed and disposed between January 1, 2021 and June 30, 2025.

- Act 23, SLH 2023 changed language to HRS 709-906 from, “A person convicted under this section shall undergo domestic violence intervention at any available domestic violence program as ordered by the court” to “A person convicted under this section shall be ordered by the court to complete an assessment at any available domestic violence program and shall complete a domestic violence intervention or anger management court as determined by the domestic violence program.” This is the basis for changing the wording in the table.
- The large number of dismissals are most likely due to State v. Thompson, 150 Hawai'i 262 (2021) regarding how criminal complaints are filed.
- Reasons why dispositions may be more than court ordered assessment (for example, the number of dispositions for “Finding of Guilt” is 394 and there were 335 cases where the assessment was court ordered):

This table represents the status of cases as of June 30, 2025. It may be that a disposition was reached in some cases by June 30, 2025 but sentencing was not done by June 30, 2025. Disposition is the outcome of the case such as the person being found guilty or a deferral being granted. Sentencing is when the court imposes penalties such as placing someone on probation and ordering conditions such as the completion of programming. Disposition and sentencing can happen during the same hearing or a sentencing date can be set after disposition. Additionally, when a person is sentenced to jail only, the completion of a DVI or anger management program is not usually ordered.

- Reasons why not completing programming has not led to an equal number of consequences such as being resentenced to probation or jail or having a deferral set aside.

Completion of DVI programming takes, on average, about seven-and-a-half to nine months and many clients are still participating in DVI programming. There are also times when probation and a term of jail/incarceration is ordered and clients are not referred to program until they are released. There are also instances where clients need to complete another program such as substance abuse treatment before being referred to DVI program. There are several cases where sentencing took place near the end of the reporting period and there was not sufficient time for the client to be referred to a domestic violence program, assessed for domestic violence intervention or anger management, and subsequently start participating in a program. Finally, there are a number of cases where the client was terminated from the program and a motion to revoke probation or to set aside the deferral was filed and is pending disposition.

- Regarding parenting programming, many clients are still working toward completing DVI before moving on to parenting. If a client has substance use issues, many times, the client will need to successfully complete a substance use treatment program before completing DVI and then completing a parenting program. Due to the nature of behavior change, the level of recommended substance use treatment, and the availability of substance use, DVI, anger management, and parenting programs, completing these conditions can take longer than the probation term.
- As an objective of Act 19, SLH 2020 was to facilitate the disposition of domestic violence cases, it is important to note that at the end of FY 2022, 34 percent of cases were still pending disposition; however, at the end of FY 2025, the percentage was 18 percent.