

**Problem Area #1: Domestic violence programs are struggling with fewer resources, as demand for services increases.**

More than 80 percent of local domestic violence programs reported an increased demand for their services while nearly the same number reported decreases in funding. The critical shortage of funds is resulting in less staff and programs to assist victims in need of advocacy, legal representation, emergency shelter, interpretation, counseling, support groups, and case management. On one day in Hawaii, 95 requests for services went unmet, largely due to lack of funding. Specifically, the nine emergency shelters statewide, face a \$1million funding shortfall (despite rainy day funds) and programs funded by the Judiciary to assist survivors in filing Temporary Restraining Orders have been defunded.

**Trainwreck #1: When fewer community resources are available, victims become more isolated, risking their safety and recovery.**

Funding shortages have created greater and greater vulnerabilities in the network of services survivors need for their safety, escape, and self-sufficiency. Many agencies have been forced to cut staff or services, or both, making survivors increasingly isolated and continuing the cycle of violence. Additionally, delayed execution of contracts and payments to providers have put program sustainability at risk.

**Solutions:**

- The Justice Reinvestment Working Group should introduce or support legislation that reinvests savings from the reduced spending on corrections into victims services and prevention, and dedicate a portion of funding to develop programs specifically for marginalized communities, such as Native Hawaiian, immigrant, and limited-English proficient.
- Initiatives to increase state revenues should specifically be targeted toward restoring funding levels for domestic violence programs and shelters.

**Problem Area #2: Lack of integration and service coordination between statewide departments and enforcement systems in addressing domestic violence.**

A complex system of departments, branches and levels of state government, along with multiple enforcement systems, interact with domestic violence survivors on a daily basis. This includes 911 calltakers and dispatchers, patrol officers, jailers, court clerks, detectives, prosecuting attorneys, law enforcement or prosecutor's victim specialists, child protection services workers, civil court judges, criminal court judges, family court judges, guardians ad litem, social workers, probation officers. As part of the state strategic plan, the Oversight Body was formed to improve the public and private sector response to domestic violence in our state, but lacks the regular and dedicated participation of key state department and enforcement system representatives.

**Trainwreck #2: Fragmentation, redundancies and system inefficiencies have resulted in victims and batterers “falling through the cracks.”**

**Solutions:**

- The State Oversight Body for the Domestic Violence Strategic Plan needs to be more fully supported and elevated. Primarily, there must be regular and dedicated participation by law enforcement and prosecutors across the state in OSB efforts. Resources to support and build the OSB to increase inter-agency knowledge and partnerships, improve the collection and analysis of data, share departmental/agency policies, and coordinate and monitor trainings are needed.
- Provide support and resources to the OSB to conduct a State Domestic Violence Safety and Accountability Evaluation. The evaluation discovers systemic impediments and gaps in victim safety, and produces recommendations addressing the removal of those impediments and the closing of those gaps.
- Create a position within the Governor's policy staff dedicated specifically to advising the Governor on violence against women issues. This position would work to

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coordinate the response among all the different systems: criminal justice system, schools, social services, health care, child welfare, housing, and the workplace, especially in the areas of screening and assessment of domestic violence, staff training and data collection.

- Develop and sustain domestic violence training across state departments, at all levels: basic, intermediate and advanced. Training should be institutionalized, and different training modalities should be developed.

### **Problem Area #3: Weak criminal and legal response to hold batterers responsible for their use of violence.**

These are just a few examples of law enforcement and judges dismissing or ignoring survivors when they try to reach out for help:

- One survivor reports that the police didn't separate the parties when being questioned, and the police allowed the perpetrator to be in the residence alone while the victim packed up their belongings. Police waited outside the residence while the perpetrator continued harass the victim.
- If the abuser and survivor no longer live together or have no children together, the judge generally dismisses the Protective Order claiming the parties no longer have contact with each other.

There are also countless stories of weak enforcement of temporary restraining orders, especially on military posts, and inconsistent enforcement of surrender of firearms across the state.

### **Trainwreck #3: Domestic violence is further reinforced when abusers are not arrested, prosecuted or otherwise held accountable for their actions.**

Furthermore, domestic violence often escalates when a victim is trying to leave, or has left the relationship, if batterers are not held accountable during this critical time, the impact could be fatal.

#### **Solutions:**

- There must be regular and dedicated participation by law enforcement leadership and prosecutors in Oversight Body efforts. As members of the OSB, these members will be required to report on their trainings and their efforts to hold offenders accountable.
- Standardized and frequent training of the courts, probation parole, the legal system and law enforcement, with a curriculum developed in collaboration with community

partners, so that enforcement systems can effectively respond to domestic violence survivors.

- Allow judges to require restitution from batterers to victims as possible sanctions against perpetrators.
- Designate specific staff across all the circuits to coordinate trainings, and monitor implementation and compliance to Batterer Intervention Program Standards
- Prioritize victim services in the designation of federal fatherhood funds

**Problem Area #4: Marginalized communities including Native Hawaiian and immigrant survivors face cultural and language barriers that prevent them from obtaining legal or social services.**

There is a wide range of underserved and marginalized people in Hawaii who are victims of domestic violence. Many do not reach out because of fear, unfamiliarity or mistrust of social service or the criminal justice systems. The following examples from immigrant communities highlight the need for trained and quality interpreters in the courts, police departments, hospitals, and across state departments:

- A police officer may inappropriately arrest a victim, let a perpetrator go when they should be arrested, or fail to provide a victim with information about their rights.
- Abusers often have more fluency in English and can thus navigate the cumbersome courts and systems with greater ease and speed. English speaking abusers also may seem more credible given their language fluency. Furthermore, a judge may defer to an abuser because they speak English and believe the perpetrator's claim that the victim initiated the violence, or nothing happened at all.
- A survivor from an Asian country repeatedly attempted to get assistance from a state agency, but her application was delayed over a period of months, because an interpreter could not be secured.

**Trainwreck #4: Domestic violence fatalities are highest among Filipinos and Native Hawaiians.**

Without investing into the development and implementation of prevention and intervention strategies that understand and consider cultural and language differences, these communities will continue to be isolated and cut off from information, services and support that could help them to safety.

**Solutions:**

- The Justice Reinvestment Working Group should introduce or support legislation that reinvests savings from the reduced spending on corrections into victims services and prevention, and dedicate a portion of funding to develop programs specifically

for marginalized communities, such as Native Hawaiian, immigrant, and limited-English proficient.

- Increase staffing for the Hawaii Civil Rights Commission to monitor and enforce compliance of language access and civil rights laws among county, state and federally-funding health and human service programs.

**Problem Area #5: There is very little state investment in PREVENTION strategies to end domestic violence.**

A little over \$600k in fiscal year 2011 from state funds went into domestic violence and sexual assault prevention statewide. In order to create a comprehensive prevention strategy that is targeted to Hawaii's diverse communities, a long-term investment and commitment from all levels of government is needed.

**Trainwreck #5: The pervasiveness and harms of domestic violence will only continue without a consistent, coordinated, and integrated statewide prevention strategy.**

The state response to domestic violence has focused primarily on intervention after the problem has already been identified and harm has occurred. While crisis intervention is a necessary response to domestic violence, it alone cannot address the complex dynamics of domestic violence.

**Solutions:**

- Examples of primary prevention include public education campaigns to increase awareness of the harms of domestic violence and of services available to victims; and school-based programs that teach students about domestic violence, healthy relationships and alternative conflict-resolution skills.
- The Justice Reinvestment Working Group should introduce or support legislation that reinvests savings from the reduced spending on corrections into victims services and prevention, and dedicate a portion of funding to develop programs specifically for marginalized communities, such as Native Hawaiian, immigrant, and limited-English proficient.