



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

## **NOTICE AND AGENDA**

### **DOMESTIC VIOLENCE RESPONSE TASK FORCE**

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FRIDAY, NOVEMBER 13, 2015  
COUNCIL COMMITTEE MEETING ROOM  
2<sup>nd</sup> FLOOR  
HONOLULU HALE  
9:30 a.m.

1. Call to Order
2. Approval of Meeting Minutes from Tuesday, October 6, 2015
3. Discussion of Unfinished Business
4. Discussion of Smaller Working Group Format
5. Discussion of Final Report to the City Council
6. Announcements
7. Next Meeting Date: To be determined
8. Adjournment

Future Meetings: Future meetings of the Domestic Violence Response Task Force are subject to the call of the co-chairs, availability of the committee meeting room, and the Council's calendar.

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# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

## MEETING MINUTES DOMESTIC VIOLENCE RESPONSE TASK FORCE

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TUESDAY, OCTOBER 6, 2015, AT 9:30 AM  
COUNCIL COMMITTEE MEETING ROOM  
2<sup>nd</sup> FLOOR  
HONOLULU HALE

### MEMBERS PRESENT

Co-Chair Catherine Betts, State Commission on the Status of Women  
Co-Chair Larry Lawson, Major, Honolulu Police Department  
Julie Ebato, Department of the Attorney General, Crime Prevention and Justice Assistance Division ("CPJA")  
Nicole Kalakau, Department of the Prosecuting Attorney  
Dr. Val Kalei Kanuha, University of Hawaii, Department of Sociology  
Maureen Kiehm, Hawaii State Judiciary, First Circuit Court  
Nanci Kreidman, Domestic Violence Action Center  
Marci Lopes, Hawaii State Coalition Against Domestic Violence ("HSCADV")  
Mary Anne Magnier, Department of Attorney General, Family Law Division  
Pamela Tamashiro, Family Justice Center, Department of the Prosecuting Attorney

### OTHERS PRESENT

Mary Frances Canta, HSCADV  
Jocelyn de Guia, Department of the Attorney General, CPJA  
Carol Fukunaga, Councilmember

### CALL TO ORDER

The meeting of the Domestic Violence Response Task Force ("Task Force") was called to order by Co-Chair Catherine Betts ("Co-Chair Betts") at 9:31 a.m.

### APPROVAL OF MEETING MINUTES

The minutes of the Friday, July 24, 2015 Task Force meeting were approved, with one correction: Task Force Member Dennis Dunn's name was corrected from "Dunne" to "Dunn" on page seven.

### DISCUSSION

#### 1. MEMBER REPORTS ON DATA COLLECTION AND INFORMATION SHARING

A Task Force member reported on several contacts with national domestic violence ("DV") organization representatives: Denise Gamache, director of the Battered Women's Justice Project; Denise Eng, program manager for Praxis International, Inc.; and Cindy Southworth ("Ms. Southworth"), executive vice president of the National Network to End Domestic Violence ("NNEDV"). Based on information received, the national organization representatives stated concerns and recommendations regarding data collection and information sharing. Concerns were raised regarding: access to victim information contained in reports, particularly when the data in the reports are public and/or discoverable (the provided recommendation was that State laws should define what information is private, public and/or discoverable); interagency data

sharing that included child protection agencies, as DV information could lead to harmful, unintended consequences to the victims and children; and victims giving permission to share information with one agency, but not another (the provided recommendation was informed consent regarding adverse consequences).

The national organization representatives noted that communities attempting to introduce risk assessment strategies to initiate an enhanced response, especially toward high-risk cases, have to coordinate data gathering through multiple agencies in order to do a complete assessment. Their recommendation was to maximize data shared specifically by other criminal justice agencies, including emergency dispatchers, law enforcement, prosecutors, etc., because interveners would have more complete information in which to base their actions or decisions. It was noted that many communities share the problem of computer systems housed in different agencies not interfacing with each other. They recommended funding staff positions to input data into a centralized software package, which would collate data based on issues, such as arrest rates, prosecution rates, victims contacted by advocates, bail amounts, dispositions, conditions of sentences, etc.

The national organization representatives additionally suggested arranging a site visit by Ms. Southworth (NNEDV), because she has worked with many organizations on the issue of data sharing. A Task Force member indicated that Ms. Southworth is scheduled to meet with HSCADV during a layover in Hawaii in February of 2016. Applications for arrest grants were discussed.

- Task Force Member Marci Lopes agreed to discuss the issues of data sharing, a possible site visit, and funding possibilities with Ms. Southworth (NNEDV).

A Task Force member reported on the work of Dr. Cris Sullivan, a professor at Michigan State University, who has developed new recommendations for evaluating and measuring direct services.

- Task Force Member Dr. Val Kalei Kanuha will look into providing more information.

## 2. MODEL ASSESSMENT TOOL FROM OTHER JURISDICTIONS

A Task Force member reported on data systems in West Virginia (OSNIUM), Wisconsin (OSNIUM), and Illinois (Illinois Criminal Justice Information Authority Board). An informational packet was distributed. Discussion ensued regarding the Illinois model, including its use of the Law Enforcement Data System ("LEDS"), in which prosecutors and law enforcement statewide have access.

## 3. TYPES OF DATA COLLECTED BY MEMBER AGENCIES

A Task Force member announced that the Hawaii application for the Maryland-based Lethality Assessment Program ("LAP") was recently accepted, and contains a data component. The Honolulu Police Department ("HPD") is tentatively scheduled to be trained on LAP in March or April of 2016. Discussion ensued regarding LAP. Questions were raised as to LAP operation, HPD's implementation of the program, and the degree of case-identified information sharing. A Task Force member again raised the issue of informed consent in relation to LAP, and the possibility of unintended consequences if too much case-specific information was shared.

- It was requested that Co-Chair Larry Lawson provide a report on LAP, with an emphasis on HPD implementation and the issue of data sharing.
- It was suggested that a LAP briefing be placed on a future agenda.

Discussion ensued regarding the different purposes for sharing data collected by member agencies. Task Force members generally agreed that aggregate data sharing, such as service numbers, arrests, and prosecutions, should be implemented. Concern was raised regarding sharing case-specific data, such as case management and tracking information, due to issues of victim identification, informed consent, unintended consequences, accountability, safety, etc.

#### 4. PROPOSED LETTER AND QUESTIONNAIRE

A draft letter and questionnaire, regarding framework to improve DV responses, for potential distribution to State and City agencies were distributed for review. Discussion ensued as to whether or not the letter and questionnaire should be submitted to the agencies. After much discussion, it was agreed that the letter and questionnaire should not be submitted to agencies, but that the framework should become part of the recommendations in the Task Force's Final Report to the City Council ("Final Report"). The recommendation would likely include a description of how the framework should be implemented as a forum/training and a request for funding for that purpose.

### NEW BUSINESS

#### 5. DISCUSSION OF LEGISLATIVE IDEAS

The Task Force discussed previous legislation recommendations, including mutual restraining orders, mandatory minimum training for all system interveners, the elimination of deferred acceptance of guilty pleas and deferred acceptance of no contest pleas for crimes involving partners, address confidentiality, and certain DV crimes being brought as bench trials instead of jury trials. Discussion ensued regarding the pros and cons of reducing DV crimes from misdemeanors to petty misdemeanors; and bench trials versus jury trials. A Task Force member noted that if legislation was drafted to reduce certain DV crimes from misdemeanors to petty misdemeanors, additional legislation would likely be required to amend the impacted felony statutes.

#### 6. DISCUSSION OF DV TRAINING

The Task Force discussed potential mandated DV training for judges and system intervening professionals. A Task Force member noted that mandatory DV judicial training, in conjunction with legislation mandating that certain DV offenses be tried by judges, may illicit a negative reaction from the defense bar and public defenders.

There was further discussion regarding the possibility of getting: judicial nominees with DV experience selected to fill judicial vacancies; letters written in support of judicial nominees with DV experience; and a DV advocate on the Judicial Selection Commission.

#### 7. DISCUSSION OF LARGE SCALE COMMUNITY OUTREACH

Task Force members discussed the possibility of implementing large scale community outreach prevention and education programs. It was noted that massive prevention and education programs have been recommendations in the past, and will remain a recommendation, as it has been proven to change social norms. However, it was also noted that prevention and education programs are often the last to be funded and the first to be cut.

### ANNOUNCEMENTS

#### 8. APPLICATION OF SUNSHINE LAW TO ADVISORY ORGANIZATIONS

Councilmember Carol Fukunaga explained that Sunshine Law requirements are less rigid for advisory organizations than they are for the City Council. She encouraged the Task Force to freely communicate among each other, and stated she would electronically distribute

supplementary informational materials (*A Quick Reference Guide for Council Advisory Bodies* and *A Brief Primer on the Sunshine Law*) and post them on DocuShare.

9. DEADLINE FOR FINAL REPORT TO CITY COUNCIL

Co-Chair Betts reiterated that the deadline for the Final Report is December 31, 2015, and that she would transcribe and write the Final Report. Co-Chair Betts also reminded members to submit to her any agenda item proposals, or documents for sharing and posting on DocuShare.

NEXT MEETING

The next meeting is scheduled for Friday, November 13, 2015, at 9:30 a.m. (Council Committee Meeting Room, 2<sup>nd</sup> Floor, Honolulu Hale).

ADJOURNMENT

The meeting was adjourned by Co-Chair Betts at 10:56 a.m.

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