



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

MEETING MINUTES DOMESTIC VIOLENCE RESPONSE TASK FORCE

FRIDAY, NOVEMBER 13, 2015, AT 9:30 AM
COUNCIL COMMITTEE MEETING ROOM
2nd FLOOR
HONOLULU HALE

MEMBERS PRESENT

Co-Chair Catherine Betts, Hawaii State Commission on the Status of Women
Co-Chair Larry Lawson, Major, Honolulu Police Department
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
Marcy Lopes, Hawaii State Coalition Against Domestic Violence
Mary Anne Magnier, Department of Attorney General, Family Law Division
Amy Murakami, Crime Victim Compensation Commission
Pamela Tamashiro, Family Justice Center, Department of the Prosecuting Attorney

OTHERS PRESENT

Carol Fukunaga, Councilmember

CALL TO ORDER

The meeting of the Domestic Violence Response Task Force ("DVR Task Force") was called to order by the Hawaii State Commission on the Status of Women (HSCSW) co-chair at 9:36 a.m.

APPROVAL OF MEETING MINUTES

The minutes of the Tuesday, October 6, 2015 DVR Task Force meeting were approved and adopted, with no corrections.

DISCUSSION OF SMALLER WORKING GROUP FORMAT

A smaller working group format, and the Sunshine law requirements, were briefly discussed. The HSCSW co-chair confirmed that supplementary informational materials (*A Quick Reference Guide for Council Advisory Bodies* and *A Brief Primer on the Sunshine Law*) were electronically distributed and posted on DocuShare. The HSCSW co-chair encouraged DVR Task Force members to utilize the smaller working group format to getting together with their fellow members to discuss, review, and/or revise any recommendations for submittal.

DISCUSSION OF UNFINISHED BUSINESS

1. DATA COLLECTION AND INFORMATION SHARING: HPD FORMS

DVR Task Force members discussed the collection and dissemination of domestic violence-related data among various governmental agencies and community organizations providing domestic violence services; and the best way to begin data collection on a local level.

Discussion ensued regarding arrest data. The statutory issue with Hawaii Revised Statutes (“HRS”) section 709-906, relating to abuse of family or household members, was discussed as a potential issue, as arrest data is routinely reviewed based on that statute. The Department of the Prosecuting Attorney and the Domestic Violence Action Center (“DVAC”) members explained that other crimes involving violence involving an intimate partner or minor child are not necessarily charged under the abuse statute, such as criminal property damage, terroristic threatening, kidnapping, sexual assault, etc., and are not part of the data currently collected.

There was also discussion regarding HRS section 709-906 being too broad, as violence involving parent/adult child, grandparent/adult grandchild, and even roommate/roommate, are recognized as domestic violence under the statute, but do not involve intimate partner or minor child violence. There was further discussion regarding amending HRS section 709-906, to separate crimes involving intimate partner or minor child, but DVR Task Force members could not necessarily agree as to how that would be accomplished or whether or not that could have an unintended negative impact on prosecutions.

DVR Task Force members discussed various options to make intimate partner/child victim violence-related arrests a searchable field in the Honolulu Police Department (“HPD”) arrest documents, to assist with local data collection. A Department of the Prosecuting Attorney member suggested that two checkboxes be added next to the “Domestic Violence” check box currently located on HPD police report forms, to further delineate “intimate partner” and “minor child[,]” thereby making two searchable fields in HPD’s database system. The DVAC member suggested making that one of the DVR Task Force’s final recommendations.

DVR Task Force members discussed the types of data that would be useful to be collect, including HPD arrests, cases referred to the prosecutor, cases that were actually prosecuted, and final disposition cases. The collection of TRO-related data was also discussed, and the Department of the Prosecuting Attorney member explained those cases are not considered a criminal matter unless a violation is alleged. The University of Hawaii (“UH”) member suggested that TRO forms, police forms, and any other form related to the collection of domestic violence, be examined and assessed. The HSCSW co-chair added that a review of domestic-violence forms could be a final recommendation.

DVR Task Force members discussed which governmental entity would be best to house the data collection, to make the data more accessible. The State Judiciary and the Hawaii Criminal Justice Data Center were discussed as likely being the most appropriate government entities:

HPD’s 192 form, or the domestic violence witness statement form, was discussed. Questions were raised regarding whether or not data contained on those forms are currently being collected and compiled by HPD. The HSCSW co-chair suggested that the form be revised to include opportunities for relevant data collection. It was also generally agreed-upon that the last page of the form containing the outline of a body figure should be gender-neutral.

The HPD co-chair stated that HPD does not currently have a mechanism to track domestic violence-related information on the 192 form as it is hand-written and subsequently scanned; cases involving a variance in victim type (i.e. intimate partner or minor child); and/or other cases that fall outside of HRS section 709-906. He further stated that HPD currently classifies cases based on statute, and although there is a “Domestic Violence” check box on police reports, HPD is unable to separate out domestic violence-related cases under the current system. The HPD co-chair stated that HPD is in the process of building a new records management system, and that he did specifically request a searchable field for cases involving domestic violence (not

specifically involving intimate partners or minor children) as there is a "Domestic Violence" check box on police reports, and that he is still waiting to hear if that can be accomplished. The HPD co-chair stated he would look into the possibility of further delineations within the new records management system.

A Department of the Prosecuting Attorney member stated that the new system within her division does allow staff to make delineations within the cases that come to their division, such as minor victim, minor witness, etc.

2. LETHALITY ASSESSMENT PROGRAM (LAP)

The HPD co-chair announced that he did contact a national organization representative regarding suggested data to be captured through the Maryland-based Lethality Assessment Program ("LAP"); and he distributed two sample reports. The HPD co-chair stated that HPD is in the process of scheduling an LAP training date. The UH Manoa member noted that several national researchers have expressed concern regarding the LAP, as it appears to be focused predominately on the safety of survivors, and not on the accountability for perpetrators. The UH Manoa and DVAC members suggested the LAP reports contain information regarding whether or not an arrest was made, to take care of both the short and long-term needs of survivors.

3. NATIONAL ORGANIZATION REPRESENTATIVE CONTACT

The Hawaii State Coalition Against Domestic Violence ("HSCADV") member updated members regarding an upcoming visit with a National Network to End Domestic Violence ("NNEDV") representative, Executive Vice President Cindy Southworth. The NNEDV representative is scheduled to meet with HSCADV during a layover in Hawaii in February of 2016. The HSCSW co-chair noted the DVR Task Force's Final Report will already have been completed and submitted to the City Council, but that the NNEDV representative could possibly be utilized for a joint informational briefing with the Women's Legislative Caucus/City Council. The HSCSW co-chair noted that the NNEDV representative could review and discuss the final recommendations.

DISCUSSION OF FINAL REPORT TO THE CITY COUNCIL

The HSCSW co-chair reiterated that the deadline for the Final Report is December 31, 2015, and that she would circulate a list of her compiled recommendations, and requested that DVR Task Force members review her list and re-submit to her any additional recommendations or revisions.

ANNOUNCEMENTS

There were no announcements or public comments offered.

NEXT MEETING

The next meeting is scheduled for Thursday, December 17, 2015, at 9:30 a.m. (Council Committee Meeting Room, 2nd Floor, Honolulu Hale). The Department of the Prosecuting Attorney members stated they would be in training the week of December 12, 2015, and would be unable to attend the next scheduled meeting.

ADJOURNMENT

The meeting was adjourned by the co-chairs at 10:59 a.m.

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