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**DOMESTIC VIOLENCE RESPONSE TASK FORCE**

**REPORT TO THE COUNCIL**

December 31, 2015

TO: THE HONORABLE ERNEST MARTIN, CHAIR  
AND ALL COUNCILMEMBERS  
HONOLULU CITY COUNCIL  
AND  
HAWAII WOMEN'S LEGISLATIVE CAUCUS

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DOMESTIC VIOLENCE RESPONSE TASK FORCE

SUBJECT: FINAL REPORT AND RECOMMENDATIONS

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HONOLULU, HAWAII

As requested by Resolution 15-25, FD1, the Domestic Violence Response Task Force presents the following final report with recommendations pertinent to the systems' response to domestic violence on Oahu. We also have attached our meeting minutes and documents distributed to Task Force members.

The Task Force met monthly throughout the year and discussed the challenges faced by agencies and organizations working in the field of domestic violence. The discussion also covered previous reports on domestic violence, as historically, multiple working groups and task forces have convened and have formulated similar recommendations. Task Force members recognized that recommendations from 1990 and 2000 reports issued by the Hawaii State Commission on the Status of Women were so substantially similar to the recommendations contemplated by this Task Force currently, indicating that although some movement and progress have been made to better serve victims of domestic violence, Oahu is still woefully behind on implementing longstanding recommendations. The Task Force notes the following challenges and suggested recommendations.

**Major Challenges (previously reported in the Task Force's preliminary report)**

1. Collaboration and Communication Between State, City and County, and Community Organizations and Agencies: While there has never been a city and statewide strategic

plan, the state Department of Health developed the “Navigating a Course for Peace, Domestic Violence Strategic Plan (2007-2012). The implementation of this plan under the Department of Health has not continued. However, the goals are still relevant and similar to those of this Task Force.

2. **Single System Data Collection Source:** Several agencies reiterated that programs and agencies have different methods of data collection and different types of data storage, management, analysis and dissemination. It has remained difficult over the last twenty years to ascertain who has what types of data and how it can be more streamlined, uniform, and accessible to service providers and entities to use for various purposes (reporting, evaluation, grants and fund development).

3. **Offender Accountability:** Policies and procedures exist to hold offenders accountable, however, they are inconsistently enforced and implemented (e.g. criminal sanctions, restitution, payment for services, etc.).

4. **First Response Advocacy and Education with Survivors:** previous recommendations reflect a high need for having a victim advocate on scene to allow for critical and early interventions and prevent any re-victimization during interaction with police, as well as potentially increasing the likelihood that a victim will receive services or participate as a witness in the prosecution.

5. **Training:** All agencies across the board reported the need for more continued and sustained training. Several stakeholders stated that an annual training is not sufficient for purposes of working in the field of domestic violence. Training requirements vary greatly. A lack of sustained, ongoing, and comprehensive training results in deleterious effects on victims and families. Stakeholders need multiple disciplinary cross training and knowledge of what other stakeholders do.

6. **Victim Services and Advocacy:** Stakeholders reported limited resources to provide sufficient advocacy and counseling for victims and child witnesses.

7. **Challenge of Prosecuting Domestic Violence Cases Without Victim:** There are statutory and case law barriers posed within Hawaii on prosecution without victims/available complaining witnesses. These barriers pose constraints for prosecution.

8. **Risk Matrix:** all stakeholders saw a high need for a streamlined and validated dangerousness assessment and risk matrix.

9. **Need for Voluntary and Internal Stakeholder Self Assessment:** stakeholders commented that self assessment tools have been created and agencies should consistently perform self assessments to ascertain areas of need and gaps in service provision. Especially for stakeholders working in marginalized and/or specialized populations (dual diagnosis, rural areas, recent immigrants, youth).

10. **Lack of Large-Scale System Reform:** Commitment to alleviating and addressing the problem of domestic violence at a systemic level was noted as a critical issue (as indicated by the previous task force reports).

## **Final Recommendations**

1. Assessment of first responders and others who interface with victims of domestic violence and/or batterers.

The *Domestic Violence Response: A Community Framework for Maximizing Women's Safety (British Columbia: Ministry of Public Safety and Solicitor General, January 2010)* is recognized as a tool which stakeholder agencies can use to perform a self-assessment. Discussions focused on how best to assess agencies in a transparent way so that issues, loopholes/gaps in services, and inefficiencies could be identified and resolved. Additionally, discussions focused on ways to facilitate a process for public and private agencies to assess strengths and weaknesses inherent in their practice or response.

The members discussed how the Framework could be utilized in a forum with all stakeholder agencies and organizations on a coordinated effort to improve the system's response to domestic violence.

It was noted that some model organizations were likely to have already implemented a self-assessment in order to ensure efficient service delivery, etc. and that an assessment tool with some oversight and delivery assistance would likely render more thoughtful and honest responses regarding system inefficiencies and possible failures/breakdowns.

The Task Force members concluded that the Framework should be implemented as a forum or training with city/county, state, and victim service agencies with follow up discussions. This recommendation would require funding and as such, this Task Force recommends a budget appropriation in order to implement this assessment tool and framework.

2. Training on Domestic Violence

The Task Force members strongly recommended statewide training for judges and system intervening professionals (e.g. individuals and agencies who have direct intervention with domestic violence). Discussion focused on how much or how little training various agency representatives receive on domestic violence. Specifically, Task Force members focused on how so often, the field of domestic violence is used as a "training ground" for new professionals including prosecutors, public defenders and judges. Task Force members discussed how individuals not cognizant of the dynamics of domestic violence are "thrown into" domestic violence work, resulting in real, substantial, and lasting effects on victims and families. Examples included new judges who may not have had extensive domestic violence training or criminal justice training, allowing convicted batterers to not pay restitution, or not continue batterer intervention services, or not pay their fines. This example was used to illustrate that there was not a standard, across the board, for how much training any individual receives despite that individual's direct contact with victims of domestic violence and their direct ability to hold offenders accountable.

Similarly, individual Task Force members commented that the best practice for law enforcement officers across the nation who specialize in domestic violence is to have at least 40 hours of specifically focused domestic violence training. This ensures that socialized behaviors and norms around domestic violence (e.g. “Why won’t she just leave?”) can be examined thoroughly to prevent victim blaming, that community resources and services for victims of domestic violence are known and made available to law enforcement, and that law enforcement officers are adequately prepared for situations that can quickly become lethal.

### 3. Data Collection: A need for comprehensive aggregate data collection and data sharing

The Task Force members discussed the issue of data collection at length. Task Force members surveyed members of national domestic violence organizations including the Battered Women’s Justice Project, Praxis International, Inc., and the National Network to End Domestic Violence on best practices and models for data collection and data sharing.

- The recommendation at minimum was to maximize data shared by agencies, specifically criminal justice agencies including law enforcement, prosecutors, dispatchers, etc.
- An additional recommendation would be to fund staff positions to input data into a centralized software package, with the purpose of collating and making accessible data such as arrest rates, prosecution rates, victim engagement with advocates, bail amounts, dispositions, conditions of sentences, probation periods, etc.
- The Task Force further recommended that any data collection or data sharing would need to closely guard victim information contained in reports, particularly when the data in the reports are either made public or are discoverable. Inter-agency sharing could lead to harmful and unintended consequences, specifically for victims of domestic violence. Thus, the Task Force recommended using best practices from other jurisdictions in which they have successfully weighed the needs for data sharing and collection with protections for victims.
- Honolulu Police Department Reporting:  
After lengthy discussions, it was determined that HPD reports should collect pertinent data on intimate partner violence. While a check box has been placed on police report forms that denotes “domestic violence”—this refers to Abuse of Family/Household Member within the Hawaii Revised Statutes. Family or household member means spouses or reciprocal beneficiaries, former spouses or former reciprocal beneficiaries, persons who have a child in common, parents, children, persons related by consanguinity, persons jointly residing in the same dwelling unit, and persons who have or have had a dating relationship. AFHM can also refer to a physical altercation between a parent and child, a parent and grandparent, or a household member with a child witness under the age of 14 years old. Therefore, this does not

accurately capture intimate partner violence---violence that occurs within the context of an intimate partner relationship.