

# City Auditor's Highlights

Audit of How Domestic Violence Cases Are Handled, Processed, and Resolved  
Report No. 17-02



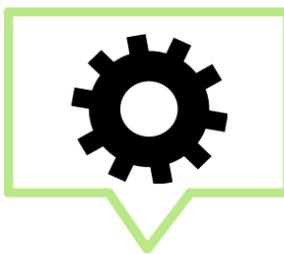
## A consistent definition for domestic violence does not exist.

Domestic Violence is a generic term that includes a multitude of potential felonies and misdemeanors. The process of investigating and prosecuting such cases is complex, and the final charges may change over the lifecycle of developing a case and bringing the defendant to trial.



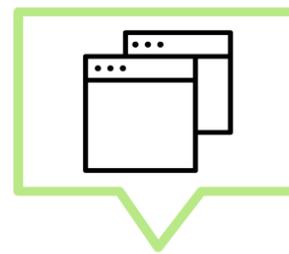
### New Law Increased the HPD and PAT Workload and Produced Questionable Results

In 2014, the Hawaii Revised Statutes was amended to classify abuse before a child under 14 years old as a felony. The amendment created additional work for HPD and PAT, but did not result in significantly reducing domestic violence for several reasons: (1) the law was difficult to prosecute; and (2) the HPD and PAT lifecycle for domestic violence incidents can result in reclassifications and decisions that affect the case.



### Prosecution of Domestic Violence Cases Is Complex and Can Result in Different Outcomes

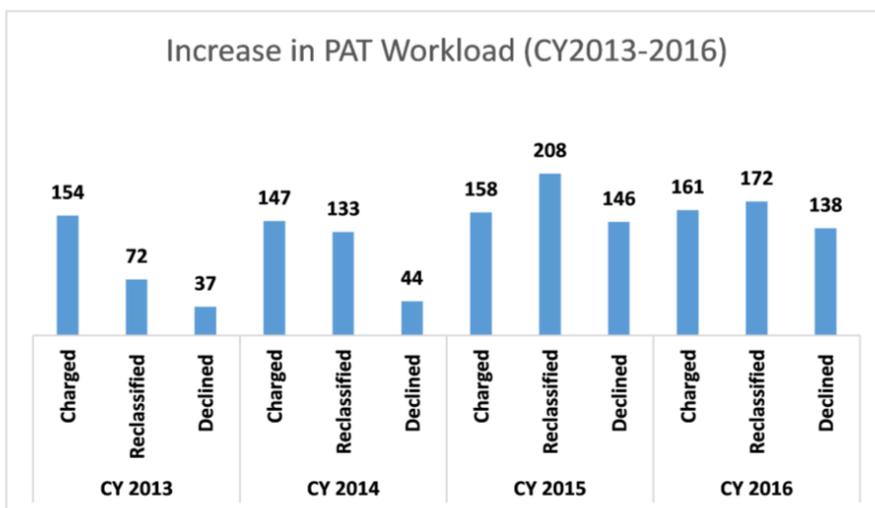
Most domestic violence incidents are classified as felonies or misdemeanors. The prosecution of these case is complicated by the nature of the case lifecycle. The judicial system provides additional complications. HPD, PAT, and the State of Hawaii judiciary have different procedures for handling felonies and misdemeanors.



### HPD and PAT Can Improve Administration of Domestic Violence Incidents

HPD and PAT have a plethora of data and information systems that allow them to track, monitor, and manage domestic violence cases. The entities, however, lack common definitions, processes, procedures, and reports that could facilitate data sharing and streamline monitoring and processing of domestic violence cases. The lack of formal PAT administrative processes and procedures, reliance on informal guides, and the judicial and trial processes compound the difficulties of successfully prosecuting domestic violence cases.

Increase in PAT Workload (CY2013-2016)



**PAT workload increased 79%**  
**From 263 total cases in CY 2013 to 471 total cases in CY 2016.**



Current PAT policy does not allow a domestic violence case to be dropped although the victim is not available or refuses to testify. The "no drop" policy prohibits the dismissal of charges and assumes there are no evidentiary or ethical prohibitions against prosecuting the matter. The National District Attorneys Association reports the "no drop" policies have not resolved the rate of recidivism.

We make recommendations to ensure that domestic violence cases are handled, processed, and investigated in an economical, efficient, and effective manner.



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