



TO: Chair Keith- Agaran
Chair Tokuda
Members of the Committees
FR: Nanci Kreidman, M.A.
Chief Executive Officer

RE: S.B. 2321 SD1 Comments

Aloha! Thank you for hearing this Measure today. There have been many discussions and a great deal of attention focused on our community's response to domestic violence. As a participant on a variety of workgroups, ad hoc bodies, governor and attorney general appointed committees, the discussion inevitably focuses on training.

Effective and appropriate intervention in domestic violence is necessary to create safety, secure accountability, and pave the way for obtaining support. In order for this to be achieved it is essential that a sufficient understanding of the complexity of domestic violence and suitable responses are standard practice by intervenors, system wide. Currently, the various public agencies provide different kinds of training and make different investments in the time devoted to training. It is safe to say, that the complexity of this issue cannot be well understood in just a few hours. We must collectively commit to solid training. This will save lives, and bring immeasurable support to the families suffering the harm of abuse.

We are in absolute support of this Bill to require a mandatory minimum amount of training. Eight hours (8) is really not sufficient for grasping the complexity, the appropriate interventions, and the community system that is in place to respond. At the Domestic Violence Action Center, all new staff participates in 4 days of training, and annually we expect staff to attend no fewer than 4 trainings. Just as it is crucial for our staff, who are community leaders in serving families, it is crucial for our system allies to make a similar commitment.

Thank you for allowing us to share our perspective. We shall look forward to favorable action on S.B. 2321 SD1.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SB2321 on Feb 24, 2016 10:00AM*
Date: Wednesday, February 24, 2016 8:46:36 AM

SB2321

Submitted on: 2/24/2016

Testimony for JDL/WAM on Feb 24, 2016 10:00AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Noriko Namiki	YWCA Oahu	Support	No

Comments:

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TESTIMONY OF THOMAS D. FARRELL

Regarding Senate Bill 2321 SD1, Relating to Domestic Violence

Senate Committee on Judiciary and Labor
Senator Gilbert S. C. Keith-Agaran Chair

Senate Committee on Ways and Means
Senator Jill N. Tokuda, Chair

Wednesday, February 24, 2016 10:00 a.m.
Conference Room 211, State Capitol

I oppose SB 2321 SD1.

While domestic violence is surely a serious issue deserving of public attention, it is not necessarily an issue that requires more legislative *diktat*.

SB 2321 would require family court judges and staff, police, firefighters, and emergency medical personnel to undergo mandatory training in “domestic abuse intervention.” It is similar, although not identical, to HB 1694, which would require judges to complete ongoing training in the latest “best practices and research in domestic violence advocacy.”

The premises of the bill are flawed in two ways. First, there is an assumption that various state and county employees who deal with domestic violence receive no training to do so. That simply isn’t true. Second, the bill assumes that “consistency amongst agencies” is desirable. I disagree. The functions of a judge are different than those of an emergency responder, or a social worker, or a police officer, or a prosecutor; and all of their functions differ from each other’s. One-size training does not fit all.

The legislature should refrain from micromanaging the various different agencies of the state and county, who seem reasonably competent to determine their own training needs.

I am also concerned that by making an appropriation to be expended by the Department of Public Safety, everyone who is within the ambit of this broad bill would be required to attend a PSD-approved course of instruction. As various non-profits compete for the funds to be generated by winning the PSD training contract, there is a real danger of misuse by groups who have their own unique agendas and philosophies regarding domestic violence, and who will use that contract and training requirement as a vehicle to try to indoctrinate state and county employees in their particular point of view,

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Finally, to the extent that this bill includes the judiciary, particularly sitting judges, I believe it violates the separation of powers doctrine. It is highly inappropriate for the legislative branch to tell the judicial branch in this manner who has to be trained, how much training must be had, and who shall provide it.

Domestic violence is repulsive, but not every legislative measure proposed by the domestic violence advocacy community is wise or necessary. This is one that is neither.