



**Rodney A. Maile**  
ADMINISTRATIVE DIRECTOR

**Brandon M. Kimura**  
DEPUTY ADMINISTRATIVE DIRECTOR

December 7, 2020

**Via electronic submission**

The Honorable Ronald D. Kouchi  
President of the Senate  
State Capitol, Room 409  
Honolulu, HI 96813

The Honorable Scott Saiki  
Speaker of the House of Representatives  
State Capitol, Room 431  
Honolulu, HI 96813

Dear President Kouchi and Speaker Saiki:

Pursuant to Section 601-3.6, Hawaii's Revised Statutes (HRS), the Judiciary is transmitting a copy of the *Report on the Spouse and Child Abuse Special Account*, including an accounting of the receipts of and expenditures from the account.

In accordance with Section 93-16, Hawaii Revised Statutes, we are also transmitting a copy of this report to the Legislative Reference Bureau Library.

The public may view an electronic copy of this report on the Judiciary's website at the following link: [http://www.courts.state.hi.us/news\\_and\\_reports/reports/reports.html](http://www.courts.state.hi.us/news_and_reports/reports/reports.html).

Should you have any questions regarding this report, please feel free to contact Karen Takahashi of the Judiciary's Legislative Coordinating Office at 808-539-4896, or via e-mail at [Karen.T.Takahashi@courts.hawaii.gov](mailto:Karen.T.Takahashi@courts.hawaii.gov).

Sincerely,

Rodney A. Maile  
Administrative Director of the Courts

Attachment

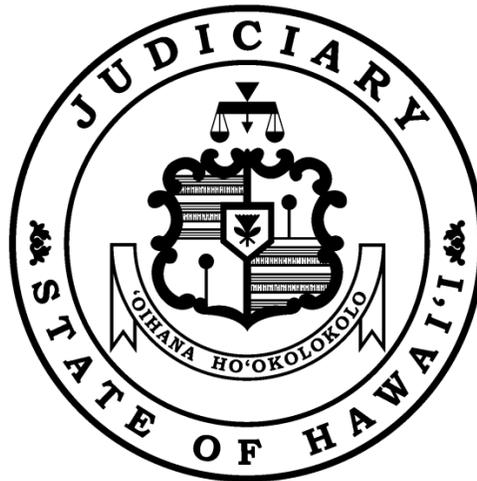
- c: Legislative Reference Bureau Library
- Office of the Clerk, Hawaii State Senate
- Office of the Clerk, Hawaii House of Representatives

**ANNUAL REPORT TO THE THIRTY-FIRST LEGISLATURE  
2021 REGULAR SESSION**

**ON**

**ACT 232, SESSION LAWS OF HAWAI'I 1994  
HRS § 601-3.6**

**A Report on Spouse and Child Abuse Special Account**



**Prepared by:**

**The Judiciary, State of Hawai'i**

**December 2020**

## **A Report on the Spouse and Child Abuse Special Account**

This report is respectfully prepared pursuant to Act 232, Session Laws of Hawai'i 1994, § HRS 601-3.6, which requests an annual report on the Spouse and Child Abuse Special Account.

In 1994, the Spouse and Child Abuse Special Account, placed in the Judiciary, was created by the Legislature, State of Hawai'i, for the purpose of developing and/or expanding new and existing programs. The scope of the Judiciary's Special Account may include, but is not limited to, grants or purchases of services which support or provide domestic violence or child abuse intervention or prevention, as authorized by law, as well as staff programs.

The Judiciary's Special Account is financed through a portion of the monies collected by the Department of Health from the issuance of birth, death, and marriage certificates. In addition, any fines collected pursuant to Hawai'i Revised Statutes Chapter 586-11 (Violation for an Order of Protection) and contributions from state tax refunds are deposited into the Judiciary's Special Account.

### **Programs and Activities Funded Through the Spouse and Child Abuse Special Fund**

Monies from the Judiciary's Special Account continue to provide funding for a broad range of programs, projects and activities statewide, which address interventions in domestic violence and the prevention of child abuse and neglect. The process of determining which services, programs and activities received funding involved internal planning and collaboration within the Judiciary, as well as coordination with private and public stakeholders in the community.

The following programs, projects and activities were funded by the Judiciary's Special Account in Fiscal Year 2020:

#### **1. Purchase of Service Programs**

The following nonprofit organizations named below received funding to provide or supplement their contracted services with the Judiciary:

➤ Child and Family Service / Developing Options to Violence (O'ahu)

The Developing Options to Violence program provided specialized domestic violence intervention services which included:

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- Group/individual counseling services for adult survivors of domestic violence.
  - Counseling services for children and youth who have been a victim or witness to family violence.

- Domestic violence intervention services for juveniles who have been adjudicated by the Family Court for the charge of abuse of a family or household member or a related charge, such as intimate partner violence.
- Domestic violence intervention services for adult offenders.

➤ Domestic Violence Action Center (O'ahu)

The following advocacy services for victims of domestic violence were provided by the Domestic Violence Action Center:

- Advocacy and support services for victims filing temporary restraining order.
- Court outreach at Family Court in Kapolei as well as in criminal domestic violence matters at District Court in Honolulu.
- Civil legal services.
- Hotline services (information and referrals).
- Case management.

➤ Parents and Children Together / Family Peace Center (O'ahu) Funding was provided to the Family Peace Center on O'ahu and Maui to for essential domestic violence services. The specific services provided included:



- Victim advocacy and support groups
- Counseling and/or case management for adult survivors/victims
- Counseling for children and youth who have been a victim or witness to family violence.
- Domestic violence intervention services for juveniles who have been adjudicated by the Family Court for the charge of abuse of a family or household member or a related charge, such as intimate partner violence. Efforts also involved outreach to engage family members of the juveniles in services.
- Domestic violence intervention services for adult offenders.

➤ Parents and Children Together (PACT) /Family Visitation Center (O'ahu)

Supervised child visitation and safe exchange services were provided to court referred families on the island of O'ahu. The majority of referrals involved temporary restraining orders and orders of protection, however, other referrals involved divorce, child custody and paternity cases. The Family Court of the First Circuit relies on the Family Visitation Center (FVC) services to provide safe supervised visits and exchanges when there is a concern of domestic violence. The FVC runs its services through a lens that specifically considers domestic violence, safety for victims and their children, and accountability for those who have committed domestic violence. The center itself has been modified to provide safety and security for all involved. PACT is the only provider of these type of services on the island of O'ahu.

## 2. Federal Grant Projects

Matching funds from the Judiciary's Special Account were used for the federally funded Judiciary grant projects listed below:

➤ State Access and Visitation Program Grant

This formula grant is awarded to the Judiciary annually by the U.S. Department of Health and Human Services, Office of Child Support Enforcement, to provide supervised child visitation and exchange services in a safe setting. The Federal grant funds and matching funds from the Special Account were used to provide these services on the islands of O'ahu and Hawai'i. Priority was given to those cases involved in domestic violence, or other high conflict situations. The federal grant was awarded in the amount of \$100,000 and required a 10% match in funds, so \$11,111 in matching funds from the Special Account were allocated to these services. PACT / FVC on O'ahu received a purchase of service contract to provide these services.

➤ Stop Violence Against Women Act Grant, 16-WF-09 / "Intersection of Domestic Violence and Technology"

Funding was used to provide domestic violence trainings to a statewide audience. The following are brief descriptions of the trainings:

- Four Judiciary staff and the Executive Director of the Hawai'i State Coalition Against Domestic Violence participated in the training: Engaging Communities in Holistic Culturally Responsive Practices for Abusive Partner Intervention Programs in Decatur, GA. The Judiciary staff who attended, represent each of the four circuits and oversee the Judiciary domestic violence intervention program contracts. Participation in this training allowed the attendees to collectively learn from national experts and to observe offender accountability mechanisms that take into account a holistic cultural-responsive approach to working with those who abuse.
- The Judiciary participates in the Interagency Council on Intermediate Sanctions (ICIS), which is a statewide multi-disciplinary effort to reduce recidivism and prevent future victimization. A committee of ICIS is the Correctional Program Checklist (CPC) Coordinating Committee. The CPC is a tool developed by the University of Cincinnati Corrections Institute to assess a program's adherence to certain indicators that have correlated with reductions in recidivism and to assist agencies in improving services to offenders. STOP Violence Against Women Act (VAWA) funds were used to provide training on the CPC to Judiciary Program Specialists who oversee domestic violence intervention program (DVIP) contracts in the Second and Fifth Circuits. Additionally, the funds were to be used for travel in order to conduct a CPC with a DVIP in the Second Circuit, however this was put on hold due to travel restrictions put in place to mitigate the spread of COVID-19.

### **3. Trainings, Meetings, Other Expenses**

Monies from the Special Account also provided for:

- Maintenance of an electronic database containing assessment scores of domestic violence offenders on probation in the state was provided by \$3,600 from the account.
- Travel for one Family Court judge to attend the 4-day Enhancing Judicial Skills in Domestic Violence Cases Workshop provided by the National Judicial Institute on Domestic Violence.

### **Special Fund Assessment (Act 34, SLH 1964)**

The Special Fund Assessment fee for FY 2020 was \$34,188.

### **Summary**

The Judiciary's Spouse and Child Abuse Special Account continues to enable the Judiciary to develop, implement and maintain a proactive stance in achieving the mission of §HRS 601-3.6, to support and provide spouse or child abuse intervention or prevention in the state of Hawai'i. One of the major strengths in the establishment of the Special Account has been the discretion given to the Judiciary, which has encouraged and allowed funding for a comprehensive range of services and activities, which would have not been possible otherwise. As a result, services for victims of domestic violence have been maintained and appropriate and effective intervention services for victims, children, and offenders remain available.

The opportunity for statewide training of judges and Judiciary staff on a wide range of important and intersecting issues relating to domestic violence and child abuse continues to be possible and addresses an on-going need. Additionally, the ability to include other public and private agencies in domestic violence trainings increases collaboration, improving coordination to close gaps and create safer communities where families thrive.

In spite of the serious and negative fiscal impacts of COVID-19, the Judiciary remains committed to the responsible use of monies from the Special Account to promote the safety and well-being of domestic violence and child abuse, and child neglect victims and family members, the accountability of offenders, and to taking a strong and committed stance on these important issues.

**THE JUDICIARY  
SPOUSE & CHILD ABUSE SPECIAL FUND  
FOR THE FISCAL YEAR 2019-2020**

REVENUE CODES	HRS SECTION		
0222	§572-5	MARRIAGE LICENSES	78,462
0735	§235-105.5	TAXES COLLECTED UNDER ACT228, SLH2004	31,957
1101	§338-14.5	FEEs, CERTIFIED COPIES OF HEALTH STATISTICS RECORDS	271,954
1567	§§580-10, 586-4	VIOLATION OF TEMPORARY RESTRAINING ORDER/PROTECTIVE ORDER (ACT 172/98 & 200/99)	283
		SUB-TOTAL	<u>382,656</u>
0288		INVESTMENT POOL EARNINGS (ACT 119/98)	6,268
1364		REFUND/REIMBURSEMENT PRIOR PERIOD EXPENSES	<u>0</u>
		TOTAL REVENUES	<u><u>388,924</u></u>
<b>CURRENT</b>	<b>EXPENSES</b>		
3203		PRINTED FORMS	0
3209		OTHER STATIONERY/OFC SUPP	0
3301		FOOD SUPPLIES	0
3502		SUBSCRIPTIONS	0
4201		TRANSPORTATION, INTRA-STATE - EMPLOYEES	154
4301		SUBSISTENCE ALLOWANCE, INTRA-STATE - EMPLOYEES	446
4302		SUBSISTENCE ALLOWANCE, INTRA-STATE - OTHERS	87
4401		TRANS, OUT OF STATE - EMPLOYEES	2,009
4402		TRANS, OUT OF STATE - OTHERS	265
4501		SUBSISTENCE ALLOWANCE, OUT OF STATE - EMPLOYEES	2,704
4502		SUBSISTENCE ALLOWANCE, OUT OF STATE - OTHERS	226
4601		HIRE OF PASSENGER CARS - EMPLOYEES	118
4602		HIRE OF PASSENGER CARS - OTHERS	15
4801		OTHER TRAVEL	93
5503		OTHER RENTAL OF LAND, BLDG	0
6609		PURCHASE OF SERVICES CONTRACTS	323,611
7198		OTHER SERVICES ON FEE BASIS	4,525
7204		SPECIAL FUND ASSESSMENT (ACT 34, SLH 1964)	34,188
7205		TRAINING COSTS & REGISTRATION FEES	0
7300		INTEREST ON DELIQUENT PAYMENTS	<u>0</u>
		TOTAL OTHER CURRENT EXPENSES	<u><u>368,441</u></u>
		<b>FY ENDING CASH BALANCE</b>	<u><u><b>132,030</b></u></u>