

Written Testimony of Hawaii State Attorney General David Louie

**Before the
Committee on the Judiciary, United States Senate**

**Field Hearing on “Accessing Support: How the Violence Against Women Act Serves
Hawaii Military Families Experiencing Domestic Violence”**

October 16, 2014

Thank you to Senator Mazie Hirono and the Judiciary Committee for hosting this field hearing and for the opportunity to testify this morning. I am David Louie, the Attorney General for the State of Hawaii.

The problem of domestic violence continues to be an important issue in Hawaii. In 2013, according to the Hawaii Criminal Justice Data Center’s Criminal Justice Information System (CJIS), there were 4,959 “domestic abuse related arrests.”¹ Compared to data from 2009, there has been a 13% increase in the number of overall domestic abuse related arrests in Hawaii. The increase can be attributed to a number of reasons, including, but not limited to, more incidents of abuse, victims more likely to report to police, or a change in agency reporting requirements or reporting systems. It is also important to mention that these 4,959 “domestic abuse related arrests” in 2013 capture only a portion of all domestic violence incidents for that year. Domestic abuse incidents can also be classified under a multitude of other offenses ranging from varying degrees of assault to property offenses which are not easily identified in the current crime data.

In addition to arrest data, the Department of the Attorney General (Department) collected data from domestic violence service providers throughout the State to approximate the number of victims served annually. In 2012, based on the responses from eleven non-profit service providers, 8,750 domestic violence victims were served statewide. The total number of victims served has decreased by approximately 16% since 2009 when 10,380 victims were served. The decrease in the number of victims served can be attributed to a variety of reasons such as decreases in funding, changes in the types of services offered or needed at each agency, or other reasons related to individual agencies’ data systems and/or circumstances.

More complete information regarding crime statistics and domestic violence services is included in Exhibit A – State of Hawaii Implementation Plan for the STOP Violence Against Women Formula Grant.

The Department is the State Administering Agency responsible for distributing and overseeing the Violence Against Women Act (VAWA) S.T.O.P. (Services, Training, Officers, and Prosecutors) Formula grant, also known as the VAWA STOP grant. The VAWA STOP grant, through the U.S. Department of Justice, provides funding to states and territories to encourage the development and improvement of effective law enforcement, prosecution

¹ This figure is the sum of the following arrest charges: 3,177 arrests for HRS § 709-906 (Abuse of Family or Household Member), 576 arrests for HRS § 586-0004 (Violation of Temporary Restraining Orders), and 1,206 arrests for HRS § 586-0011 (Violation of Protection Order).

strategies, victim advocacy, and services in cases involving violent crimes against women. Funding from the VAWA STOP grant has remained relatively stable over the last five years. Hawaii's STOP awards for FY 2010 through FY 2014 were \$1,025,028, \$1,027,563, \$1,036,624, \$1,010,149 and \$1,075,272, respectively. The federal provision mandates the allocation of: 25% for law enforcement, 25% for prosecution, 30% for non-profit victim services (of which 10% is to be distributed to culturally specific community-based organizations), 5% for the state and local courts, and 15% for discretionary purposes.²

The Department annually convenes a group of police, prosecutors, criminal justice agencies and non-profit, non-governmental service provider agencies through the VAWA State Planning Committee (VPC) to determine the VAWA funding priorities for the State. The VPC is chaired by the Attorney General and consists of fourteen representatives: three domestic violence and sexual assault victim service programs, including one culturally specific service provider; two state coalitions for domestic violence and sexual assault; two Prosecuting Attorneys; two Police Chiefs; one Family Court Judge; and three Directors from the Department of Health, Department of Human Services, and the Hawaii State Commission on the Status of Women. The U.S. Attorney is an ex-officio member of the VPC. The current member list of the VPC is in Appendix A of Exhibit A – State of Hawaii Implementation Plan for the STOP Violence Against Women Formula Grant.

The VPC agreed to dedicate the 15% discretionary allocation of the VAWA STOP grant towards victim services, ensuring that 45% of the total award is going to victim services. Each year, approximately \$400,000 of the State's VAWA STOP monies is set aside for services for victims of domestic violence and/or sexual assault. The VAWA STOP funds are awarded to victim service providers through an open competitive Request for Proposal process subject to state procurement rules. A funding chart that lists the domestic violence victim service providers funded through VAWA STOP grants over the last five years is included as Exhibit B.

The VPC established the following two funding priorities for victim services: 1) to support and develop core services including, but not limited to, advocacy, case management, counseling, crisis response, increased accessibility by special populations or underserved, legal assistance, legal advocacy, shelter, transitional services, prevention, outreach, and education³; and 2) to develop an effective coordinated community response for domestic violence, sexual assault, dating violence, and/or stalking.

In August 2013, the Department proposed the creation of a VAWA Working Group as a sub-group of the VPC to identify opportunities for statewide coordination to address some of the system challenges related to violence against women. The impetus for the VAWA Working Group came from a meeting between U.S. Senator Brian Schatz, the Attorney General, and concerned advocates regarding the need for better collaboration and cooperation among agencies

² Ten percent is taken from each allocation category for administrative purposes.

³ Prevention, outreach, and education cannot exceed five percent of the total VAWA STOP grant due to VAWA's federal requirements and special conditions.

addressing violence against women. The VAWA Working Group Committee consisted of representatives from sixteen agencies statewide who met six times over the course of one year to share information and discuss potential areas for cooperation and collaboration. The central question addressed by the group was, “How can we all do better?”

Three statewide priority areas for possible collaboration were identified by the VAWA Working Group. The priority areas were: 1) enhancing training for first responders, 2) improving outreach to underserved populations, and 3) addressing the growing need for services for military victims. The VAWA Working Group agreed that the issue regarding services for military victims was more relevant to Oahu agencies due to the location of the various military installations. The Attorney General and three Oahu Working Group members formed a separate sub-working group to address the priority area related to the need for services for military victims. The sub-working group has met once to begin discussing this issue further and will convene another meeting later this month.

The VAWA State Planning Committee and the VAWA Working Group are just some of the efforts taking place in Hawaii to develop effective coordinated community responses to domestic violence, sexual assault, dating violence, and/or stalking. In an era of shrinking governmental resources, it is important that criminal justice agencies and victim service providers work together in a collaborative and coordinated manner. Fragmentation, redundancy, and victims “falling through the cracks,” can result when people and systems do not coordinate their efforts. The challenge of developing various coordinated community responses depends upon communication and the willingness of different agencies to support joint efforts. The Department has used the VPC and VAWA Working Group to encourage coordinated community responses to combat violence against women and is optimistic that all of Hawaii’s agencies will continue to systematically work together to address these issues.