

HANDBOOK FOR VICTIMS AND WITNESSES



*DEPARTMENT OF THE
PROSECUTING ATTORNEY*

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Prepared By

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Dear Victim/Witness:

If you are a victim of or a witness to a crime, the Department of the Prosecuting Attorney's Victim Witness Assistance Division is dedicated to provide you with services while you are involved in the criminal justice system. As a victim of a crime, you may be experiencing feelings of frustration, confusion, anger and fear. Our victim witness counselors can help you deal with these feelings. We also will explain your rights as a victim or witness, and help you better understand how the criminal justice system works.



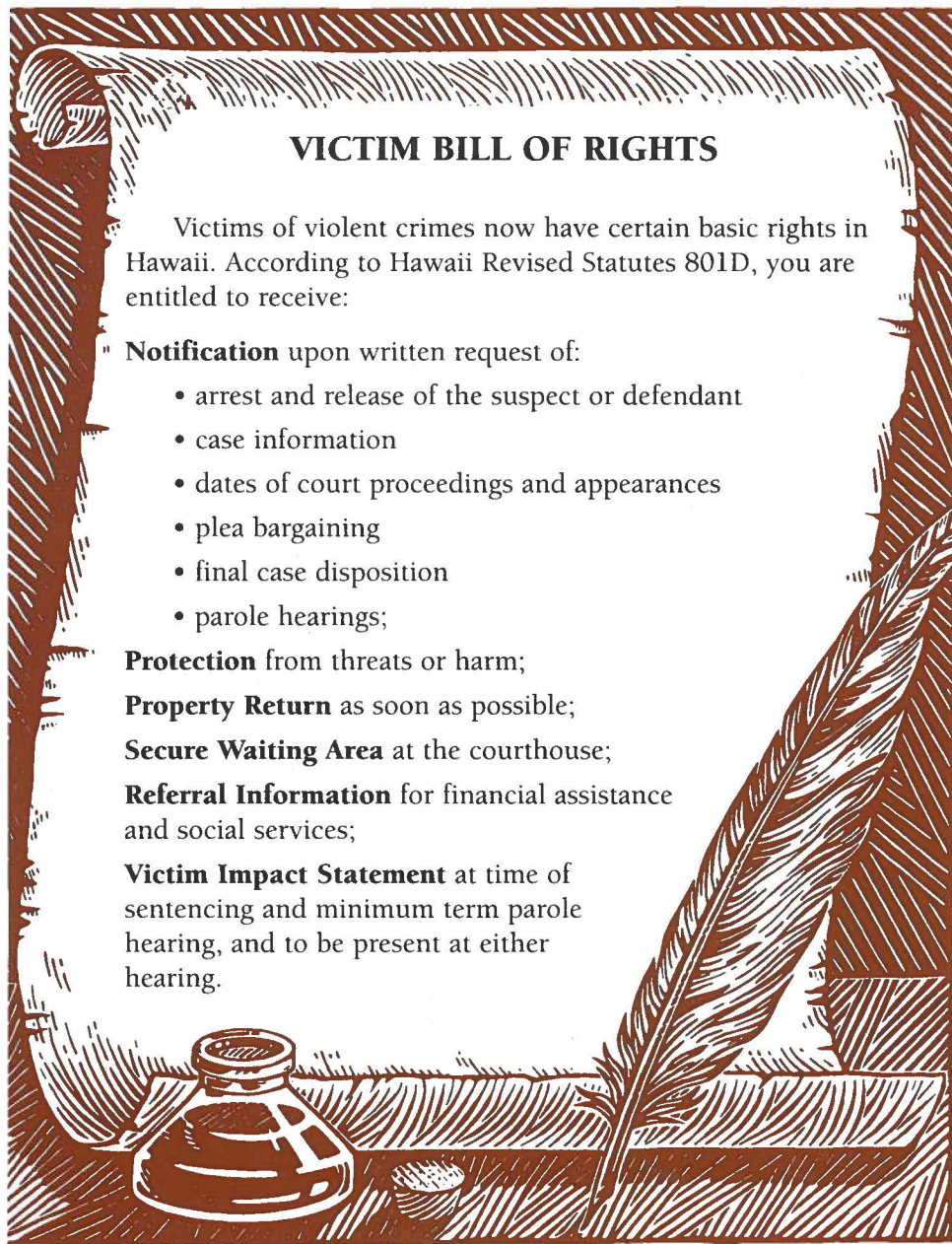
A responsibility of citizens involved in a crime is to serve as witnesses at the criminal trial or any of the other hearings as needed in conjunction with the criminal prosecution. The state cannot function without participation of victims and witnesses. It is imperative to have full cooperation and truthful testimony of all witnesses in order to properly determine guilt or innocence of a crime.

This division strives to make sure that all victims and witnesses are treated fairly and with dignity throughout their contact with the criminal justice system. We hope with the preparation of this handbook that it will provide answers to many of your questions and give you necessary general information to understand your rights and responsibilities.

Thank you for your cooperation and for your service as a witness.

A handwritten signature in black ink, appearing to read 'A. H. Martin'.

Andrew H. Martin



VICTIM BILL OF RIGHTS

Victims of violent crimes now have certain basic rights in Hawaii. According to Hawaii Revised Statutes 801D, you are entitled to receive:

" **Notification** upon written request of:

- arrest and release of the suspect or defendant
- case information
- dates of court proceedings and appearances
- plea bargaining
- final case disposition
- parole hearings;

Protection from threats or harm;

Property Return as soon as possible;

Secure Waiting Area at the courthouse;

Referral Information for financial assistance and social services;

Victim Impact Statement at time of sentencing and minimum term parole hearing, and to be present at either hearing.

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PROSECUTOR'S ROLE AND FUNCTION

The Department of the Prosecuting Attorney for the County of Maui serves the islands of Maui, Molokai, and Lanai. It is responsible for the prosecution of those who violate the criminal and traffic laws or rules and regulations of the State of Hawaii and the County of Maui.

The Department has various divisions including Felony Prosecution, Family Court, District Court, Investigative Services, Victim/Witness Assistance Division, and Clerical Support.

The Department is administered by the Prosecuting Attorney, who is appointed by the Mayor and confirmed by the County Council. The central office is located in the old Courthouse in Wailuku.

The Department employs deputy prosecuting attorneys, clerical support staff, investigators and victim/witness counselors to perform its duties and functions. All services are offered at no cost.



THE VICTIM/WITNESS ASSISTANCE DIVISION

The Victim/Witness Assistance Division was started in 1982 as a unit of the Department of the Prosecuting Attorney. The Division is a part of the state-wide network of victim/witness services provided under the guidelines of the State Attorney General.

The Division's purpose is to assist and support individuals through the Hawaii criminal justice system. The Division primarily assists in cases of serious violent crimes including homicide, sexual assaults, offenses involving child victims, abuse of family/household members, robbery and physical assaults. Assistance is also given to other victims of non-violent crimes who have special requests or needs.

The services available are:

- Crisis and short-term counseling
- Referral to social service agencies
- Case information and notification
- Court accompaniment
- Explanation of the judicial system
- Return Witness Program for visitors
- Victim Impact Statement
- Advocacy for victim rights
- Assistance with filing Crime Victims Compensation application

Services are offered at no cost.

To receive assistance, please call:

(808) 270-7695

COMMON TRAUMATIC RESPONSES OF VICTIMS TO VIOLENT CRIME

Just as there are many personal factors that influence an individual's response to trauma, the kinds of events which trigger trauma are also numerous. Certainly crimes involving sexual assault and/or physical assault typically come to mind when thinking about trauma, but there are also victims of terroristic threats, victims of motor vehicle crashes, and there are survivors who grieve the sudden and devastating loss of a loved one through some criminal act.

While traumatic responses to crimes of violence vary with each individual, the list below can shed light on some of the more common effects of trauma as experienced by victims of violent crime. This list is not exhaustive and is intended to convey the reality that trauma often impacts the emotional and psychological wellbeing long after the crime is reported to police.

Overwhelming sense of fear in the absence of an identified source

Anxiety around activities or people that were previously familiar and enjoyed

Panic Attacks

Re-experiencing the traumatic event through intrusive thoughts, flashbacks, or nightmares

Difficulty focusing on daily tasks that were routine prior to the crime

Difficulty in coping with recurring intense emotions such as anger, depression, guilt, and shame

Uncontrollable mood swings

Negative self-image

Suicidal thoughts

Trauma responses are not unusual following sudden, unpredicted experiences which may have been life threatening. Symptoms of trauma can be quite distressing and the source of great psychological confusion. Victims often report feeling like they are "going crazy". Self-care is a critical part of healing. It is important to acknowledge the effect the crime has had and get support. Our Victim/Witness counselors are available to support with short term crisis counseling. However, if the symptoms persist for more than a couple of weeks, it may be important to seek the help of a therapist. Your assigned victim/witness counselor can assist with an appropriate referral to a therapist if needed.

Kako'o Pono Volunteer Program

Kakao'o Pono Volunteer program is a project of the victim witness assistance division initiated to recruit volunteers from the community. It is essential to tap into the community's support system to assist victims and witnesses through the labyrinth of the criminal justice system. Volunteers are provided training and are assigned duties such as clerical support and other related duties.

CHILD WITNESS

Special attention is given to the child witness. A victim/witness counselor will meet with the child, explain what will be occurring, and address fears and concerns in an age appropriate manner.

The child will be given a court tour to become familiar with the courtroom. The counselor will accompany the child to interviews with the deputy prosecuting attorney, to any court appearances, and will keep the family aware of the case status.



HOMICIDE AND NEGLIGENT HOMICIDE SUPPORT

Victim/witness counselors are available to provide individual support counseling for the family members and friends of homicide and negligent homicide victims. Assistance is also provided in preparing them for the rigors of court proceedings. Immediate family members are assisted in applying to the Crime Victim Compensation Commission for reimbursement of funeral expenses. When further needs arise, referrals to other community agencies are provided.

RETURN WITNESS PROGRAM

Sometimes visitors to Maui fall victim to criminal activity during their vacation. The return of witnesses from the continental United States as well as foreign countries to testify in our court proceedings has been facilitated through the cooperation of the Maui Hotel & Lodging Association, The Visitor Aloha Society of Hawai'i several hotels and resorts.



THE COURT SYSTEM

There are three types of courts in Hawaii to handle criminal matters: Circuit Court, Family Court, and District Court. Circuit Court deals with the prosecution of most Felony cases while Family Court is responsible for misdemeanor cases to include prosecutions for Abuse of Family or Household Members, Restraining Order Violations, and some miscellaneous felony cases. The greatest volume of misdemeanor and petty misdemeanor cases are heard at the District Court level. Initially, felony cases begin with either a Preliminary Hearing in District Court or with a Grand Jury Hearing. Once probable cause is established (i.e., there is evidence to show the crime probably was committed by the accused), the case progresses to Circuit Court for Arraignment and Plea and setting of Jury Trial. It is not required to establish probable cause in order to proceed with the charging of misdemeanor cases. (see charts on page 12 and 13).

Family Court is also responsible for conducting Juvenile Court prosecutions. Referred to as Adjudications, these proceedings adhere to the rules of evidence and procedures similar to those in misdemeanor and felony trials for adults offenders. Juvenile Court adjudication hearings are highly confidential and are closed to the public. (see charts on pages 22 and 23.)

WHAT YOU NEED TO KNOW ABOUT APPEARING IN COURT

As a victim or witness of a crime, your assistance is vital to our system of criminal justice. The following information will explain what happens in bringing a case to trial and what services are available to you. A deputy prosecuting attorney will be working with you while the defendant is being processed through the Criminal Justice System.

It is essential to keep the Prosecuting Attorney's Office informed of your present address and telephone number. If you move, or are planning to go on a vacation, be sure to let us know immediately.

If you are the crime victim or if you are the parent/guardian of a child victim and you want to know the status of a case, call **270-7695**. Identify yourself and the defendant's name and/or case number, and ask for the information you seek.

SUBPOENA

A subpoena is a Court Order directing you to be present at the time and place stated. You will be personally served with your subpoena. Bring the subpoena with you when you go to court because it will assist the court in processing the witness fees the law entitles you to receive. It also reminds you which court you are required to appear in and the exact time of your appearance.

WHAT YOU MUST DO AFTER RECEIVING THE SUBPOENA

After receiving the subpoena, immediately call the Prosecuting Attorney's Office and ask for the deputy assigned to the case; his or her name will appear on the subpoena. This allows the deputy an opportunity to discuss with you the facts of the case and the nature of the proceedings in which you will testify. Keep in mind that it is perfectly proper for the deputy to discuss the case with you prior to the court date.

In some cases the deputy may ask to meet with you.

FEARS / THREATS

If you have any fears about your involvement in a case, contact the Victim/Witness Assistance Division.

If you believe that as a witness in a pending criminal case you have received a threat immediately call the police at 911 (EMERGENCY) or 244-6400 (NON-EMERGENCY). Such threats are crimes in Hawaii, and are subject to investigation and possible criminal prosecution. Also, inform the deputy prosecuting attorney handling your case.

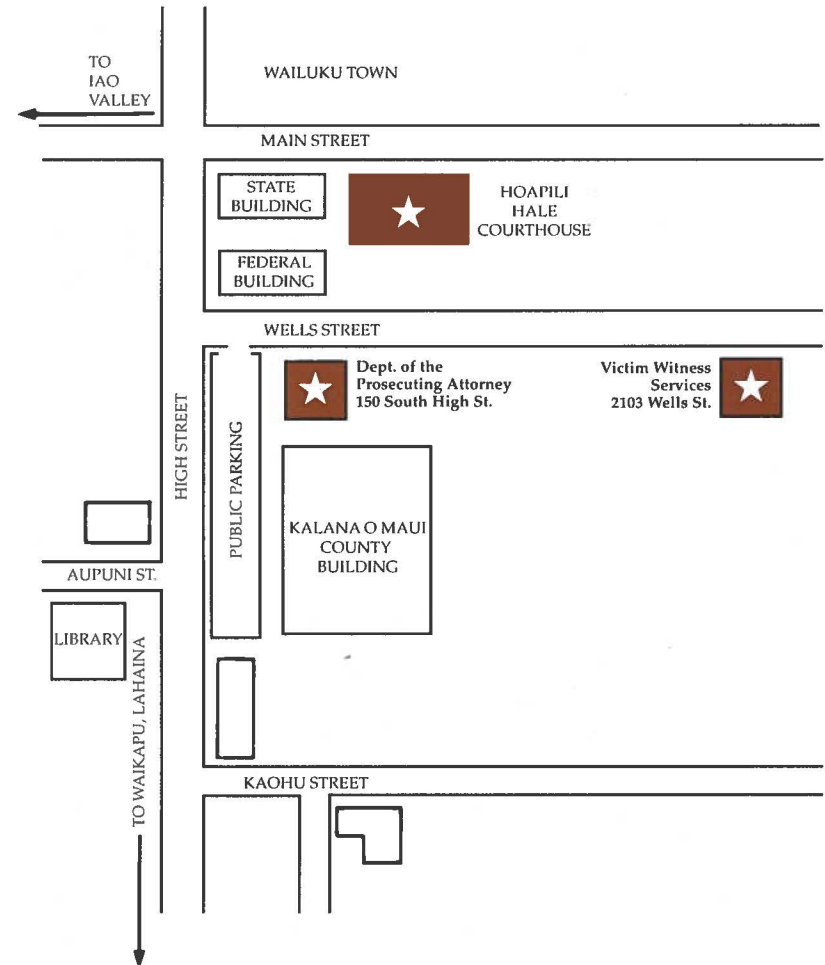
BAIL

The court may allow a defendant charged with a criminal offense(s) to remain free on his/her "own recognizance" or "supervised release." "Own recognizance" is when the defendant is released by the court upon his promise to appear whenever his attendance is required. "Supervised release" is when the court releases the defendant with certain conditions and under the supervision of an agency.

The court may also incarcerate the defendant until a monetary sum (bail), set by the court, is deposited with the court by the defendant. If the defendant is released after posting bail, conditions may be imposed.

LOCATION OF THE COURTHOUSE

Each district in the County of Maui is assigned a court. All Circuit Court and Family Court cases convene at Hoapili Hale in Wailuku. The District Court of Wailuku convene at Hoapili Hale, but the Lanai, Molokai, Hana and Lahaina District Courts convene in their respective jurisdictions.



WHAT TO DO WITH YOUR CHILDREN

Courtroom proceedings can be long so try to find a neighbor, friend or relative to care for your children. There are **no child care services provided by the court or the Prosecuting Attorney's Office.**

WHAT TO DO WHEN YOU GO TO THE COURTHOUSE

After talking with the deputy prosecuting attorney handling the case, he or she will direct you to proceed to a particular area of the Courthouse. In virtually all cases where you will be a witness, you will be instructed to wait outside the courtroom until it is time for you to take the witness stand. Once having given your testimony, you will be requested to leave the courtroom. Unless you are specifically instructed otherwise, you should return to the waiting area outside the courtroom until the attorney excuses you.

HOW LONG WILL I BE IN COURT?

It varies. You may be excused after only a few minutes, or you might be needed for more than a day. Call the Victim/Witness Assistance Division if you need to know how long you will be expected to be available to testify. A victim/witness counselor will obtain an estimate from the deputy prosecuting attorney.

WITNESS COMPENSATION

A witness that attends a criminal proceeding may be eligible to receive witness and mileage fees. Contact the Victim/Witness Assistance Division or the court clerk for more information.

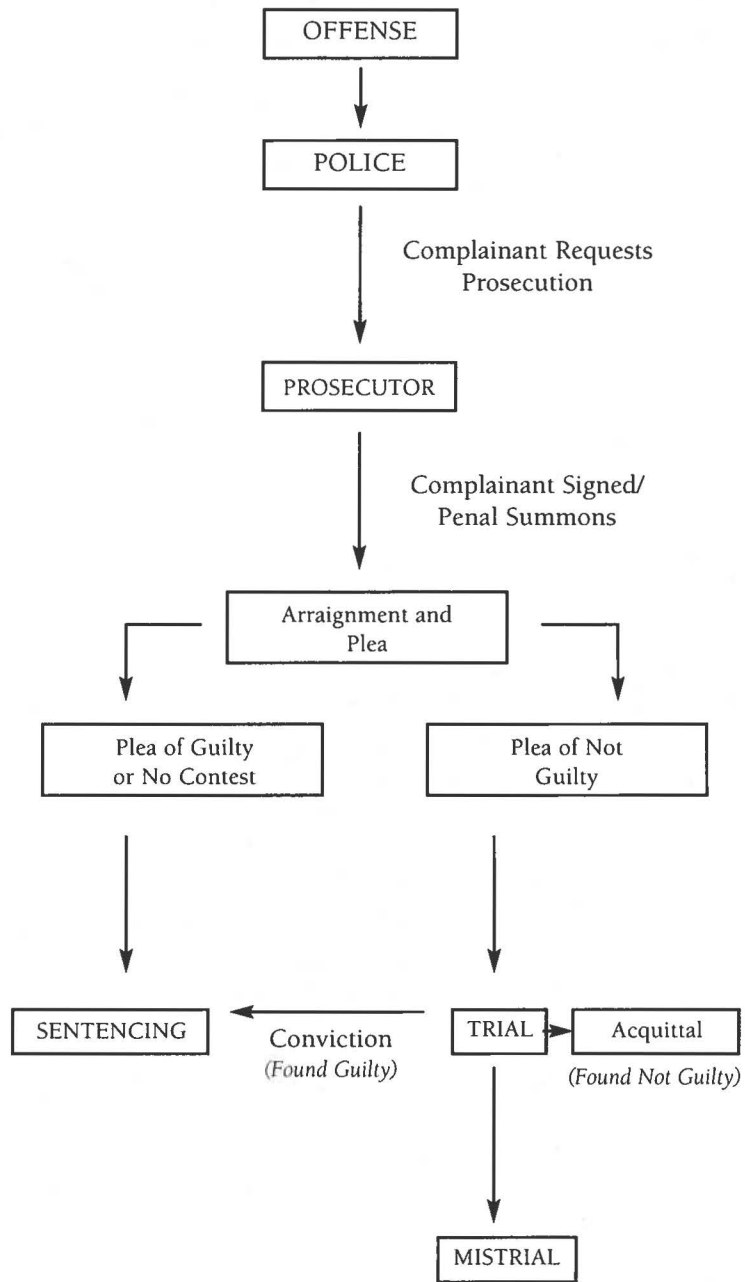
CASE CONTINUANCE

Often, for various reasons, a case may be continued to a new date. Sometimes a continuance may be ordered before you appear in court. We will make every effort to contact you and advise you that you need not appear on the date indicated on the subpoena. It is, however, a good idea to call the Prosecuting Attorney's Office on the day before your scheduled appearance to confirm the necessity for your appearance.

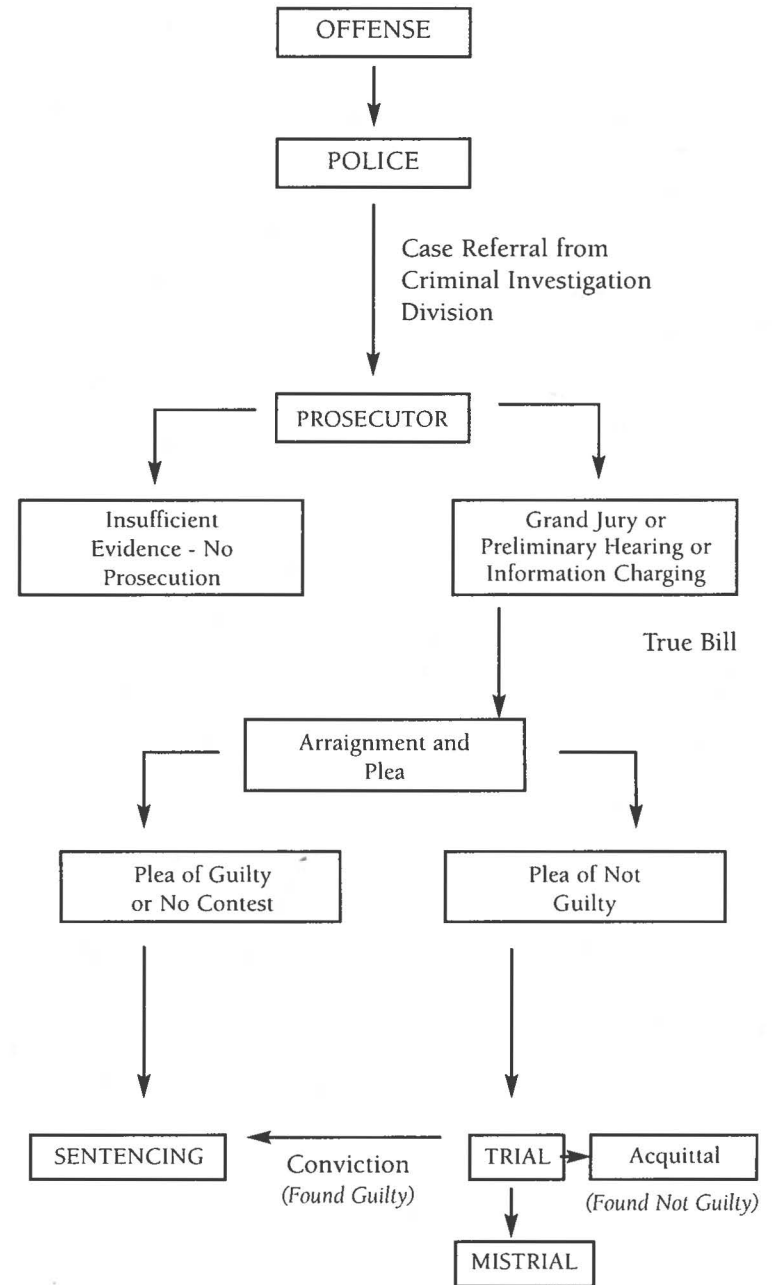
At other times, a continuance is sought on the date you appear. If you are contacted by a representative of the Prosecuting Attorney's Office and advised that the date to appear has been changed, you will be expected to appear on the new date and time. It is as binding as the original subpoena and can carry the same consequences if you fail to appear.



**PROCEDURE FLOW CHART
FOR
ADULT MISDEMEANOR CASES**



**PROCEDURE FLOW CHART
FOR
ADULT FELONY CASES**



FELONY CASES

There are three methods by which the Prosecution may bring a felony case – Preliminary Hearing, Grand Jury Hearing and Information Charging. Each process requires a finding of probable cause to that the alleged offense(s) were committed by the Defendant. Witnesses are required to testify at the preliminary hearing or Grand Jury hearing. Felony Information charging involves the filing of written declarations and supporting evidence instead of presenting personal testimony. The three different methods to charge a felony case are explained below.

PRELIMINARY HEARING

In felony cases, your first appearance may be required for the preliminary hearing. A judge listens to the evidence of the crime and determines whether it is sufficient to require the defendant to go to trial. If there is sufficient evidence, the defendant will be “bound over” to the Circuit Court for trial. “Bound over” is when the District Court transfers a case to Circuit Court after a finding of probable cause that the defendant committed the crime. The Defendant is entitled to be present with an attorney, and to question witnesses and present evidence on his/her behalf.

GRAND JURY HEARING

You may instead be summoned to appear for a Grand Jury hearing. Here, a group of 8 to 16 persons listen to evidence presented by the witnesses to determine if there are sufficient grounds to show that a crime was committed, and whether the defendant committed the crime. The Defendant and defense attorney will not be present. Victims and witnesses are usually subpoenaed for Grand Jury hearings. Grand Jury proceedings are closed to the public.

INFORMATION CHARGING

If a case qualifies for charging by this method, you will not have to appear or testify in a hearing to establish probable cause. The Prosecution may bring felony charges by submitting to a Judge, in writing, sufficient information to require the defendant to be charged with the alleged felony offense(s). If the Judge determines that there is probable cause to believe that the offense charged was committed by the defendant, the Information Charge will be approved and the Defendant will be arrested and ordered to appear in the Circuit Court. While this may be a preferred method to avoid having to appear in Court, not all offenses qualify for this method of charging.

ARRAIGNMENT – CIRCUIT COURT

After the defendant is “bound over” by a preliminary hearing or indicted by the Grand Jury he will be arraigned in Circuit Court. Your appearance is NOT REQUIRED. The defendant will be asked to enter a plea. Most defendants will plead “not guilty” at this stage and a trial date will be set.

MOTIONS

In almost all cases, there are pretrial motions. Some are made by the defense attorney, some by the deputy prosecuting attorney. Occasionally, it may be necessary to have a witness, such as yourself, testify at such hearings.

TRIAL – MISDEMEANOR

In misdemeanor cases, your first court appearance will be for the actual trial. There is no preliminary hearing. The verdicts in misdemeanor trials are decided by a judge. A defendant may “demand” a trial by a jury, in which case the trial will be transferred to Circuit Court.

TRIAL – FELONY

Usually, cases that reach this stage in Circuit Court are decided by a jury of 12 people selected from the community. In some instances a case may be decided by a judge. Your attendance and testimony will usually be required.

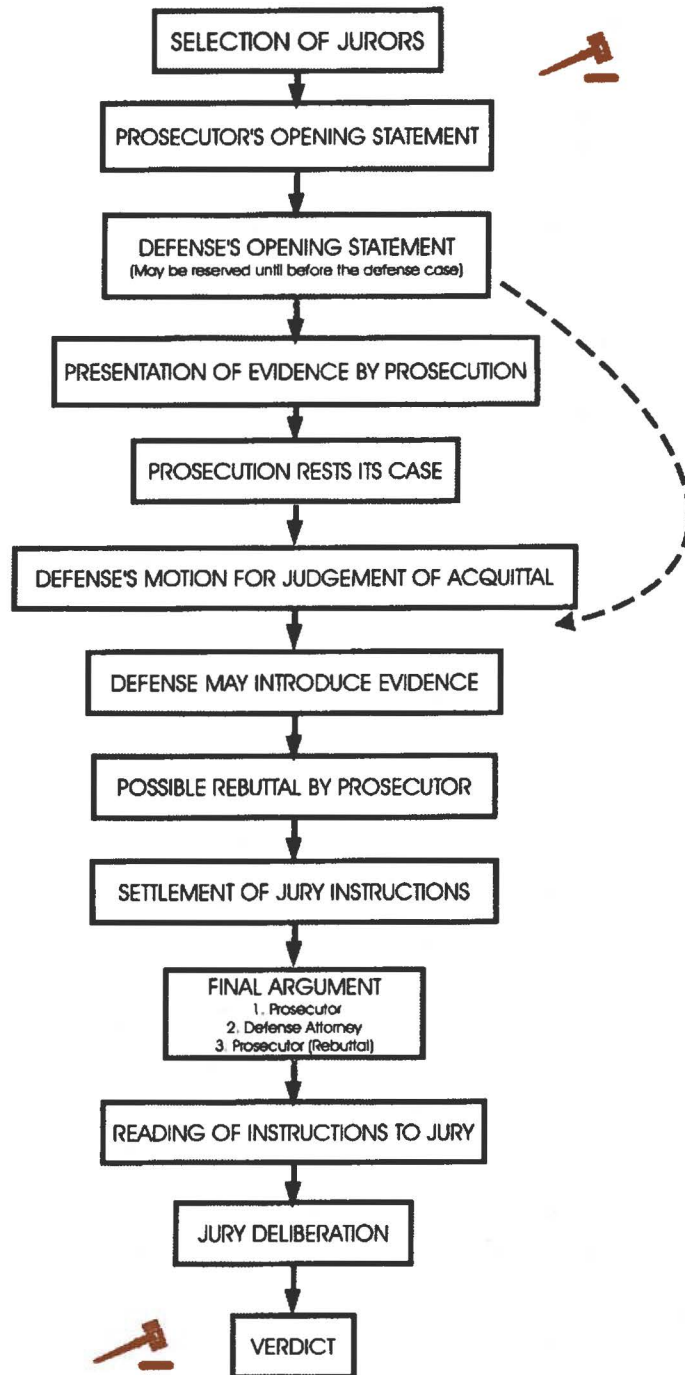


YOUR TESTIMONY

After testifying, you will know that you have done your best to make your community a safe one in which to live and work. The process of justice takes time. It often seems tedious. Some of the delays and frustrations you may encounter are part of the system that protects the rights of the accused. In our country, every person is presumed innocent until proven guilty beyond a reasonable doubt. To protect this important right, we have a system of criminal justice with many painstaking steps.

The system depends on the patience and commitment of citizens like you to make it work. The Prosecuting Attorney appreciates your determination and patience. We hope to share with you the satisfaction of a fair and successful prosecution in this case.

TRIAL BY JURY



WHAT WILL HAPPEN TO ME IN COURT?

As a witness for the State, you will be questioned by the deputy prosecuting attorney and then by the defendant's attorney, who will cross-examine you (ask you additional questions). The judge may also ask you questions.

You may feel, during the defense attorney's questioning, that your testimony is under suspicion, or that your personal motives are doubted. The process of cross-examination, however, is not meant as a personal attack upon you. It is to ensure that all sides of the case are told, and to establish the truth.

The judge is there to assist you if you do not understand a question, and to see that you are treated respectfully. If you do not understand a question, do not be afraid to say so.

Remember, if you have any questions or concerns, you may call the Victim/Witness Assistance Division at the Prosecuting Attorney's Office.

SPECIFIC SUGGESTIONS

1. **TELL THE TRUTH.** Even a so-called "minor fabrication" can completely discredit a witness and significantly weaken the entire case. Telling the truth requires that a witness testify accurately and sincerely about what he/she saw, heard, or felt.
2. Before you testify, do not try to memorize what you are going to say, but try to picture the scene, the objects there, the distances, and the events as they happened so that you can more accurately relate the facts to the jury or to the judge.
3. A neat and conservative appearance and proper dress in Court are important. Do not chew gum. Avoid wearing sunglasses or excessive jewelry.
4. **DO NOT GUESS OR SPECULATE.** If you do not know, say you do not know. On the other hand, give positive, definite, sure answers when you remember positively, definitely and surely. If you are certain, do not say "I think" or "I believe." If you knew the answer but have forgotten, say "I do not remember" or "I do not recall." This is different from not knowing the answer at all.
5. Listen carefully to the questions asked. Be sure that you understand the question before you attempt to give an answer. If you do not understand, ask that the question be rephrased until you are able to understand.

6. TAKE YOUR TIME. Give the question such thought as it requires to understand it and formulate your answer. Do not give a snap answer without thinking.
7. ANSWER THE QUESTION that is asked and then stop. Do not volunteer information not actually asked for. If you are interrupted in the middle of your answer, the prosecutor may ask the judge to let you finish your answer or may later ask you to finish your answer.
8. Explain your answer if the answer cannot be correctly understood on the basis of a simple "Yes" or "No" response.
9. If your answer was not correctly stated, correct it immediately. If you do not realize your error until after leaving the witness stand, advise the deputy prosecutor as soon as possible.
10. Be serious in and around the courtroom. Jurors are aware that criminal prosecutions are and should be serious business.
11. Speak clearly and loudly enough so that everyone in the courtroom can hear you easily.
12. Always give audible answers so that the court reporter can make an accurate record. Do not merely shake or nod your head to indicate "yes" or "no."
13. Be aware of questions involving distances and time. If you make an estimate, make sure that everyone understands that you are estimating.
14. Always be courteous, even if the lawyer questioning you may appear discourteous. Address the judge as "Your Honor." Do not argue. Do not be evasive.
15. Do not lose your temper no matter how hard you are pressed.



JUDGMENT

If the defendant is found guilty by a jury or judge, or pleads guilty or no contest, judgement will be pronounced by the presiding judge.

SENTENCING

Sentencing is a court proceeding usually held several weeks after the Judgement. You may be contacted by the Special Services Branch of the Judiciary to provide information regarding possible requests for restitution and other needs or concerns. This information will be given to the defense attorney as well as the Court.

At Sentencing, you have the right to be present and give a verbal statement. The Victim/Witness Assistance Division can assist you with submitting a "Victim Impact Statement." This statement may include the social, psychological, physical and financial impact of the crime upon you. This statement is taken into consideration by the judge in arriving at a fair sentence. It will also be available to the defense attorney and the defendant.

STATEWIDE AUTOMATED VICTIM INFORMATION

The Statewide Automated Victim Information and Notification (SAVIN) system is powered by the nationwide Victim Information and Notification Everyday (VINE) system. It offers victims and concerned citizens free, anonymous and confidential access to timely information and notifications on the custody and parole status of offenders under the jurisdiction of the State of Hawaii Dept. of Public Safety.

This service does not apply to inmates in federal prison or suspect being held on a police cellblock before going through the court system.

Interested persons can look up an incarcerated offender's status online or sign up to receive phone, email, or text messages when that offender's status changes. This service is particularly valuable to crime victims who want advance notice when their offender will be released from prison or up for a parole hearing. To access the service go to www.vineline.com

HAWAII PAROLING AUTHORITY

The Hawaii Parole Board consists of three members selected by the Governor. This Board will determine the years the defendant will have to serve in prison before being eligible to be released on parole status.

Depending on the jurisdiction where the defendant is incarcerated, the Minimum Term Hearing and/or the Parole Hearing may take place on Maui, a neighboring island, or via live video conference from the Hawaii Paroling Authority (HPA) office in Honolulu when the defendant is in a mainland facility. Similar to sentencing, victims may choose to write a letter for the HPA to consider in their decision regarding minimum term or parole for the defendant. Also, upon approval of the HPA, victims are permitted to attend the hearings, they will be accompanied by a Deputy Prosecuting Attorney and a Victim/Witness Counselor.

Address

1177 Alakea St.
Honolulu, HI 96813

Maui Parole Section

1797-2 Wili Pa Loop
Wailuku, HI 96793

Phone

(808) 587-1300
Fax (808)587-1314

(808) 243-5012
Fax (808)243-5160

VICTIM COMPENSATION

If you are injured as a result of a crime, you may be eligible for compensation.

WHO CAN GET HELP?

- A victim who is injured because of physical contact with another person.
- A person who is responsible for the victim who has suffered monetary loss.
- A person who has paid funeral and burial expenses for a deceased victim.
- A Hawaii resident who is a victim of an act of terrorism.

Victims must report the crime to the police in a reasonable time and file for compensation within **18 months** of the crime date with the exception for minor victim cases. Late applications may be accepted upon a showing of good cause.

If you believe you may be eligible to receive compensation, please contact the Victim/Witness Assistance Division, or the

Crime Victim Compensation Commission

1164 Bishop Street, Suite 1530
Honolulu, Hawaii 96813

Toll Free within Hawaii: 984-2400, Ext. 71143

Out of State: 1-808-587-1143

<http://www.hawaii.gov/cvcc>

FAMILY COURT

The deputy prosecutors assigned to Family Court are specialists in this area of law. This is to ensure a more sensitive and effective processing of cases involving a juvenile offender or a family member.

Family Court juvenile proceedings are closed to the public and records are confidential. The Court is only able to release a limited amount of information on juvenile offenders, even to the victim.

Domestic violence is a serious problem in our community. The County of Maui has therefore instituted a Domestic Violence Task Force to coordinate efforts. Task force members include the Prosecutor's Domestic Violence Unit, the police, judiciary staff, and community groups such as Women Helping Women, Child and Family Service, Children Justice Center, Parents and Children Together, and legal Aid.

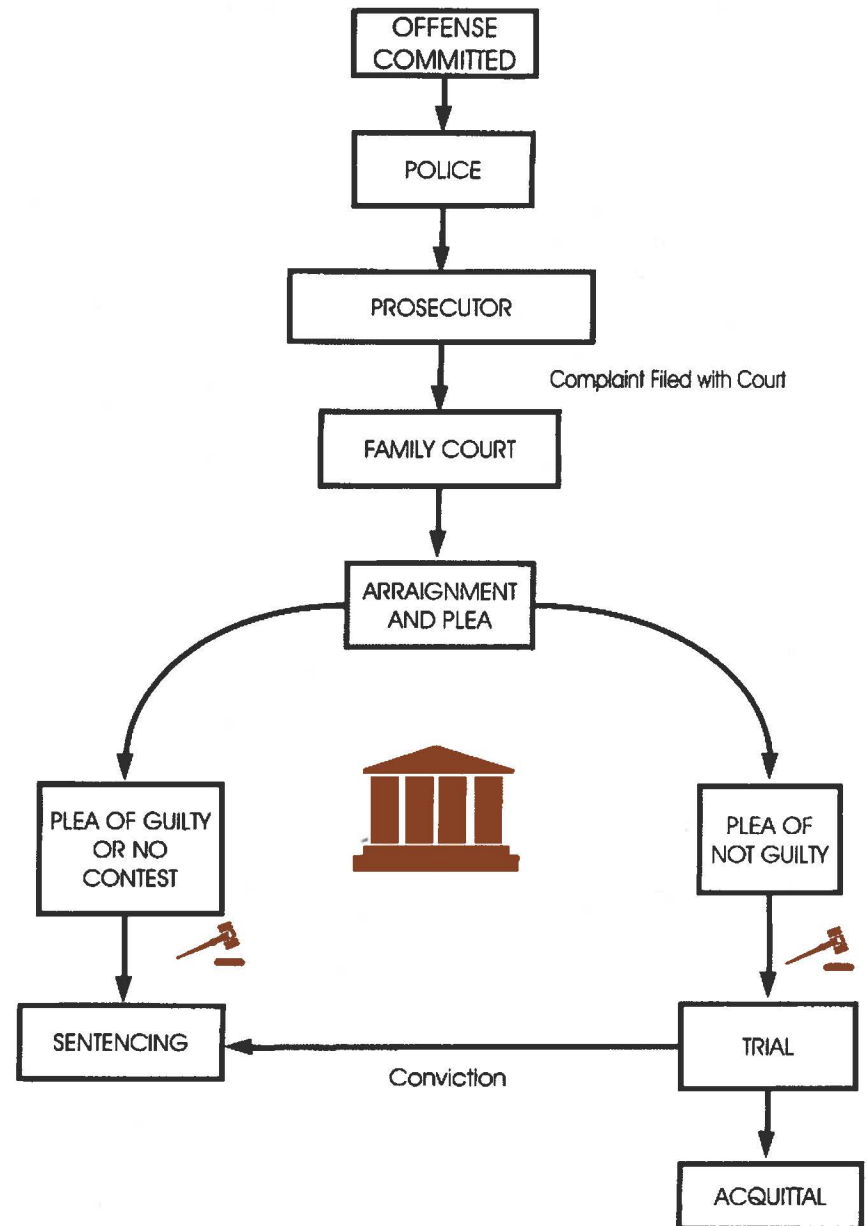
DOMESTIC VIOLENCE UNIT

The Prosecuting Attorney's Office has created a special unit to prosecute domestic violence cases in a fair and timely manner. Deputy prosecutors, an investigator and victim/witness counselors are assigned to this unit to address the needs and concerns of victims of spousal/intimate partner abuse.

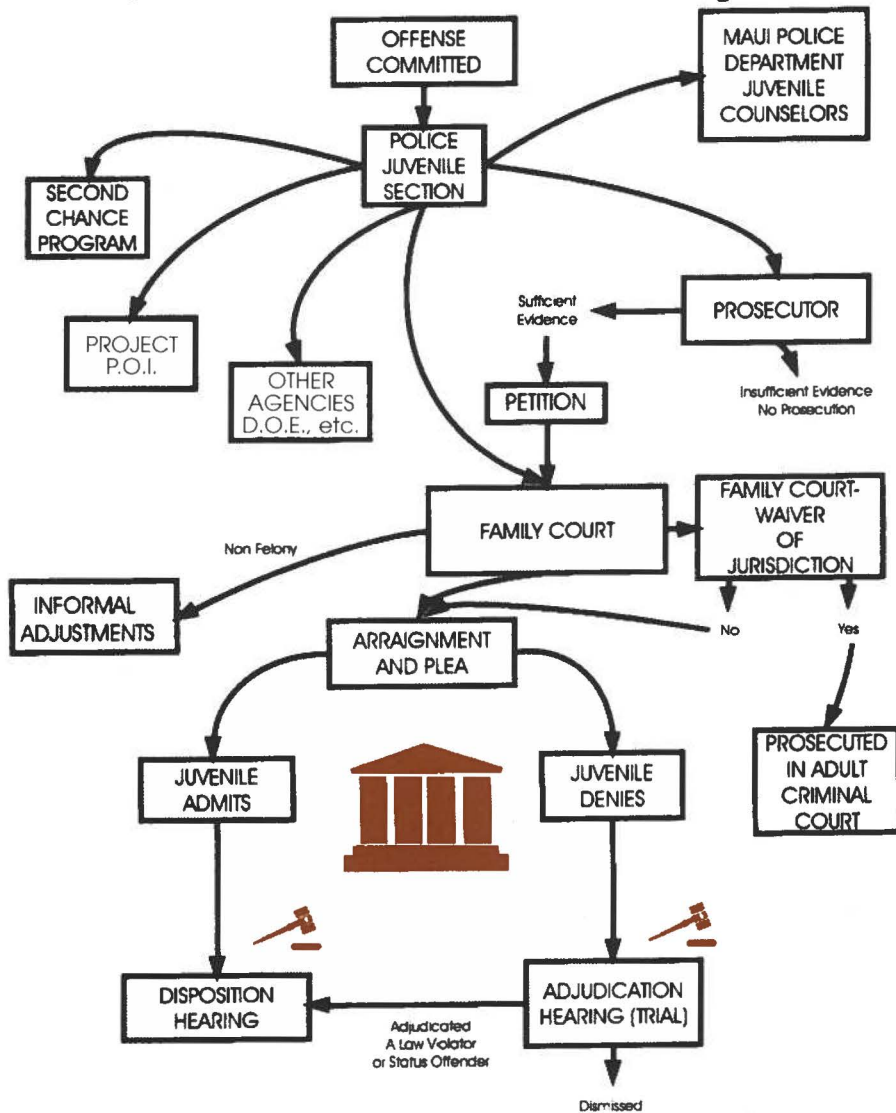
The counselor provides crisis counseling, support through the steps of prosecution, accompaniment for court testimony, and referral for community services. The counselor also works closely with other community agencies that offer shelter and safety, group counseling, advocacy, and court accompaniment.



Abuse of Family/ Household Member Cases

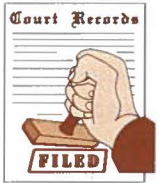


Juvenile Cases - Maui County



RESTRAINING ORDER PROCEDURES

TRO/Protective Orders place prohibitions on the Respondent regarding contact, violence and/or threats of violence against the Petitioner. TRO/Protective Orders arise from a civil process, but may result in criminal charges if the Respondent violates. Additionally, restraining orders can be a tool which enables law enforcement officers to respond to violations before they escalate to possible violence. The three different types of civil protective orders are: TRO's, Family Court Orders for Protection and District Court Restraining Orders.



FAMILY COURT ORDER FOR PROTECTION (Temporary Restraining Order)

You are eligible to file for this type of restraining order if you have lived with the abuser at some time in the past and have recently been the victim of abuse and/or threat of abuse by the abuser.

To file for a restraining order, you must go to Women Helping Women (242-0775), or Parents and Children Together (244-2330). They will assist you in filling out the forms, including a statement of the history of abusive behavior. The petition is filed with the Adult Services Branch, Family Court. There is no charge. On Lanai, you may call Women Helping Women at 565-6700. For assistance on Molokai, contact Alternatives to Violence at 553-3202.

A Temporary Restraining Order (TRO) is granted after a judge reviews and signs the petition. You will receive a copy, and two copies will go to the police department, one to be served on the respondents and one that will be kept on file. Be sure to always have your certified TRO in your immediate possession. It is a good idea to make additional copies to keep at your workplace or within your vehicle. The respondent, once served, becomes accountable to follow the restrictions found in the TRO and is given a date for a court hearing where a judge will determine if the order needs to continue or not.

This hearing is usually set within 15 days from the time the initial order is granted. You and the respondent are expected to be present. Sometimes the respondent may be represented by an attorney at the hearing. You may want to consult with the agency that assisted you in filing for the TRO on how best to proceed. If the judge determines the restraining order is necessary for your protection and welfare, the TRO then becomes an "Order for Protection" that can extend from a few months to as long as a period of years.

DISTRICT COURT RESTRAINING ORDERS

If you find yourself in a situation where you or your family's safety is threatened by a person or persons that is not a family or household member, you may apply for a restraining order through the District Court. Applications are obtained at the District Court Clerk's Office. Call 244-2706 for the appropriate location according to your place of residence. On the application, you must document the reasons for requesting the restraining order. Documentation should include specific incidents such as harassment and telephone calls as well as the emotional distress caused. The District Court Clerk will transmit the written documentation for a judge's approval and signature.

There is a \$15.00 fee for filing the document. Additional charges include the service fee of \$25.00 per respondent plus mileage. You will receive one copy and the respondent (the person restrained) will receive one. Be sure to always have your temporary restraining order in your immediate possession.

A court date will be set within 15 days, at which time both you and the respondent must be present. The judge will then decide if revisions are needed. The order can be in effect from six (6) months to three (3) years.

CIVIL/LEGAL ASSISTANCE

The Legal Aid Society of Hawaii is a private, non-profit legal services organization. It provides civil legal assistance to eligible, low income persons. To see if you qualify for their services call 242-0724 between the hours of 9:00 a.m. – 11:30 a.m. and 1:00 p.m. – 3:30 p.m. or call 1-800-499-4302, Monday–Friday.

Domestic Violence Action Center is a non-profit agency providing direct legal services to domestic violence clients, legal information, community education and advocacy for system reform. They may be reached at 1-800-690-6200, 9am-3pm, Monday to Friday.

The Hawaii Immigrant Justice Center, formerly known as "Na Loio", provides legal services to immigrant victims. If you or someone you know have immigration issues and are being abused by a partner, you are entitled to protection under federal law. Please call 1-877-208-8828 immediately to learn about your rights.

Office of Language Acces

email: Ola@doh.hawaii.gov

Phone: (808) 586-8730

Neighbor Island Toll Free: 1-866-365-5955

Fax: (808) 586-8733

IMPORTANT INFORMATION

Name of Deputy Prosecuting Attorney in charge of your case:

Name of Victim/Witness Counselor:

Name(s) of Defendant(s):

_____ CR. NO. _____

_____ CR. NO. _____

Charge(s):

Bail: \$ _____

Grand Jury or Preliminary Hearing Date:

Arraignment and Plea Date:

Trial Date:

Sentencing Date:

Minimum Term Hearing Date:

TELEPHONE NUMBERS

Prosecuting Attorney270-7777
Victim/Witness Assistance Division270-7695
Emergency911
Maui Police Depart. (Non-Emergency)244-6400

DOMESTIC VIOLENCE SERVICE PROVIDERS

Women Helping Women

24 Hour DV Hotline579-9581
Temporary Restraining Order/Transitional Project242-0775
Lanai565-6700
West Maui661-7111

Parent and Children Together (PACT) - filing TRO244-2330
Legal Aid Society of Hawaii — TRO, child custody,
child support242-0724
Molokai Hale Ho'omalua Shelter - 24 hour hotline567-6888
Child and Family Service (Molokai and Lanai)553-5529
Domestic Violence Action Center (Honolulu)1-800-690-6200

SEX ASSAULT SERVICE PROVIDERS

Child and Family Service — Counseling877-6888
24 Hour Sexual Assault Crisis Hotline873-8624
Parents and Children together (PACT)(808) 244-2330

IMMIGRANT SERVICES

Maui County Immigrant Services270-7791
Hawaii Immigrant Justice Center (Honolulu)(808) 536-8826
Maui Economic Opportunity Enlace Hispano249-2993
Office of Language Access(808) 586-8730

HOMELESS SHELTER AND SERVICES

Ka Hale Ake Ola, Wailuku242-7600
Na Hale O Wainee Resource Center, Lahaina662-0076
Family Life Center877-0880

VIOLENT CRIME RELATED FINANCIAL ASSISTANCE

Crime Victim Compensation Commission(808)587-1143
Neighbor Islands Toll Free:
Maui984-2400, x71143
Molokai/Lanai1-800-468-4644, x71143

CHILDREN’S SERVICES

Children’s Justice Center (CJC)244-7926
Friends of CJC986-8634
Child Welfare Services.(CWS)243-5162
CWS Statewide 24 hour centralized intake1-800-494-3991
Family Guidance Center243-1252
Maui Police Department Juvenile Counselors244-6480

SENIOR SERVICES

Maui County Office on Aging270-7774
Kaunoa Senior Services270-7308
Maui Adult Day Care Center871-5804
Adult Protective Services243-5151

CRISIS AND MENTAL HEALTH SERVICES

Access Line, 24/7 crisis hotline1-800-753-6879
Maui counseling Group249-2121
Maui Family Guidance Center243-1252

FOOD DISTRIBUTION

Maui Food Bank243-9500
Feed My Sheep872-9100
St. Theresa’s Hale Kau Kau Program875-8754
Salvation Army871-6270

TRANSPORTATION SERVICES

Maui Bus871-4838
MEO Transportation877-7651

SOCIAL SERVICES

Maui Economic Opportunity249-2990
Mediation Services of Maui244-5744
The Parent Line1-800-816-1222
Adult Protective Service243-5151
Adult Client Services (Probation)442-3800
Special Services Branch (Judiciary)244-2729
Hawaii Paroling Authority243-5012
Maui Community Correctional Center243-5101
Office of Language Access(808) 586-8730
Maui Public Assistance984-8300
Molokai Community Health Center(808)553-5038
Lanai Community Health Center(808)565-6919
Hana Health248-8294
Malama I Ke Ola Health Center871-7772

VISITORS

Maui Hotel & Lodging Association244-8625
Hawaii Tourism Authority973-2255
Visitor Aloha Society of Hawaii - Maui County244-3530

