

SAVIN Governance Committee
Meeting Minutes

November 22, 2019
9:30 a.m. – 12:00 a.m.
Office of Prosecuting Attorney
1060 Richards St. 9th Fl. Honolulu, HI. 96813

In attendance: Dennis Dunn, Dir, VWKS, Prosecuting Attorney Office, Chairman; Pamela Ferguson-Brey, Dir, CVCC; Deborah Chai, Dir, VWP – Hawaii, Office of the Prosecuting Attorney; Diana Gausepohl-White, Dir, VWP – Kauai, Office of the Prosecuting Attorney; Angelina Mercado, Executive Director, HSCADV; Greg Esteban, Captain, Hawaii Police Department (HPD) – CID; Edith Quintero, Sergeant, MPD – CID; Lance Marks, Sergeant, MPD; Shaleigh Tice, Chief, Crime Prevention and Justice Assistance Division (CPJAD); Dayna Miyasaki, Victim Services (Judiciary); Juliet Sadama-Uemura, Victim Services (PSD); Garret Takahashi, SAVIN Coordinator (PSD); Suzy Ucol-Camacho, IT (PSD); Monica Lortz, RCO (PSD); Randi Barretto, CVCC; Alan Ibrao, Honolulu Police Department; Kelly Musselman, HSCADV.

Absent: Marci Lopes, Deputy Director, Domestic Violence Action Center
Tommy Johnson, Paroles and Pardons Administrator – HPA
Cindy Shimomi-Saito, Sex Abuse Treatment Center, Kapiolani Hospital
Ana Malafu, Office of Prosecuting Attorney, Maui
Karlotta Carvalho, MADD representative
Paul Applegate, Kauai Police Department

1. **Call to Order/Introductions** **09:34am**

2. **SAVIN Hx & Program Overview**

An abbreviated history was provided to members to explain how the partnership between Hawaii and APPRISS came about, which was largely due to the availability of federal funding to create a program. Discussions were held as to who would oversee the program. In 2008, a grant was obtained from OVC (Office Victims of Crime) Technical Assistance. This resulted in more community involvement and discussion to examine what would be an ideal SAVIN System and where it should be placed. The recommendations indicated that it should be housed at the Department of Public Safety (PSD) because they had access to all the data. Realizing the benefits of having such a system, the Justice Reinvestment Initiative (JRI) was able to provide testimony to the Legislature in support of the establishment of having a permanent SAVIN system in the State. Subsequently, the Hawaii Revised Statute (HRS) bill §353-137 passed. One of the unique attributes that resulted from the partnership was the creation of a SAVIN Governance Committee (SGC), which was recommended by Bureau of Justice Assistance (BJA) on how to create a model SAVIN program. One of the things that was highly recommended was that we have a highly driven board that is victim centered and

would advise PSD to ensure SAVIN was victim driven, as well as, formed by the needs of the community. There was a self-funding measure included in the SAVIN bill which placed some protections for the program against potential budget cuts in the future. So, to ensure it was self-sustaining and there wasn't a burden on PSD during times of a financial crunch, an independent system was created to ensure the program was self-sustaining and dedicated funding would remain uninterrupted. In 2012, the bill passed to create the permanent SAVIN system with self-funding mechanism. Another feature of the SAVIN program was that it is a totally OPEN system, meaning that anyone in the community would be able to sign-up and register with the system. A copy of HRS Statute §353-131 was distributed, which goes to explain about the requirements in developing a system, that it satisfies its statutory obligations to PSD, the Hawaii Paroling Authority (HPA), PSD statutory obligations, and there will not be any liability in relationship to program. In addition, law enforcement will be expected to cooperate. Under HRS §353-136, a special fund, which addresses funding that flows in the system to cover position salaries and operating costs. What was eventually adopted by PSD was to automatically charge an inmate with a 4% tax on any commissary purchases across the system and impose a telephone tax that would both be deposited into the SAVIN special fund. While there is a significant amount of money in the account, only a maximum of three hundred thousand dollars (\$300,000.00) can be spent per year. We are a special funded organization, too. As a specially funded organization, the legislature determines the maximum capacities for an organization on how much money could be spent in a year. In the bill, there was a six-hundred thousand dollars (\$600,000.00) limit, but it was only for the year that bill passed, only. The SGC is the final section of the bill which talks about the membership, appointment, & the mission of its organization. A question was posed about, "what are the statutory triggers?" There was a draft being circulated but it hasn't been verified or checked. The hope is that we can revise the trigger worksheet together to determine what are the mandated triggers or provisions. Initially, everyone met and made a wish list of triggers for notifications. There are notifications that occur which are not statutory requirements for notifications. So, there is a difference between what the statutory requirements are and what is in the brochure. We will work with the SAVIN Coordinator (SC) to ensure it is updated and if there are any changes. We want to make sure the information is accurate as we move forward.

3a. Program Update: Special Fund Collection:

Progress is being made in this area to make up past funding deficiencies with PSD Correctional Industries (CI). PSD has made a strong push to get caught up on fiscal year (FY)19 from the lack of deposits going into the special fund. Subsequently, CI has recorded deposits of \$65,877.00 for FY19 and is now up to date with their revenue deposits. CI is currently making monthly deposits for the previous month. The Telephone Tax revenue for FY19 is at \$166,145.00. Question: Does that mean the programs are up & running? How did they get all their money? Response: PSD now has at any given time up to 15 Department of Transportation (DOT) work lines in the community. PSD has hired a new manager to fill the vacancy in CI, Mr. Jonah Kaauwai. Currently changes are being made as, CI will no longer be handling any printing services but trying to expand outward. CI is looking to become more competitive with the private sector by generating more income and creating more opportunities for offenders. CI also plans to work more closely with the Reentry office to expand workforce development and provide offenders with a livable wage. So, this \$ comes from the work lines? It comes from work lines and deposits. Funds automatically withdrawn from the inmate work lines and deposits made to their Inmate Trust Accounts have frustrated inmates, but staff

have used their motivational interviewing skills to talk with offenders about their responsibility toward victims and the benefits of addressing their obligations to the community. Question: Does the CI revenue collected in FY19 end on June 30? Yes, the amount noted only records those funds thru FY19 which ends June 30th. Additional deposits for the month of July, Aug, Sept have been recorded but are not a part of this report. Question: The Telephone Tax looks like a significant increase in revenue, will this be a constant increase? Response: That remains to be seen, however, the amount collected has grown over the past year. It may have been due to the new contract with GTL phone service. So, if there are no other issues than it appears that the issue around the CI shortfall has been resolved, going forward.

3b. Program Updates: Brochures

The new print job of the brochures was recently completed. Question: Should other agencies throw away their old brochures? Yes. PSD has provided some of the new brochures today. If additional brochures are needed, please send a request or an email to the SC and it will be sent out to you. Question: Can PSD send brochures to other programs/agencies in state? Yes. Response: Submit your request.

3c. Worksheet triggers: Statute-related issues and training:

Question: Is this an updated list for statutory triggers? Does PSD have the most recent draft? Identified 2 big problems recently, inaccurate notifications going out in two (2) scenarios:

1. An inmate is in custody on multiple charges – what is occurring is that the notification shows the inmate being released but, the inmate is still being held on other matters.

2. An inmate is re-indicted while still in custody. The inmate is released from PSD but remanded to another jurisdiction, like the Police Department and held at Cell block. The notification is showing that the inmate is released from custody. These appear to be recurring issues.

Question: Does staff submit the Hawaii SAVIN Inquiry forms to SC? Response: One way to resolve issue #2 is to possibly integrate county police with our SAVIN system. Is there a way we can offer feedback to committee? Staff are not sending forms to SC. There is a lot of history of previous issues and these forms would be helpful to see if the issues are re-occurring. It is systematically a problem. Question: Are we supposed to fill out those forms for all discrepancies? Response: Yes. On the PSD Corrections Management Information system (CMIS), there is a release indicator labeled, “Released to other jurisdiction” which should have been the correct data going out to the community. The victim would have then received this notice, “transferred to other jurisdiction”. This is more of a training issue which PSD and SC will continue to address. However, if there are systemic issues, everyone should be filling out that form, as well as developing a standardized procedural process for everyone to follow. Question: Is there a mechanism in place where the SGC can be informed of issues from APPRISS and how they are resolved, as well as, note any issues brought up by victims/community. The SGC needs to be able to identify when training is needed for the Victim Witness program staff on filling out those forms regarding issues identified and when PSD staff need additional training on data entry. Recommendation: To have a discussion at every quarterly meeting on training necessities to determine if reports on issues are being forwarded. Another issue identified: When an inmate is released directly from Court. Facilities do not get paperwork of this release, until later afternoon and when the notification is sent out, most times, the facility and victims alike, don’t know why the body

was released. Per Victim Witness Kokua Service, sometimes a case name and number are provided but it is the Sherriff's responsibility to make sure the legal documents are sent back to the sending facility when the body is released from court. However, the process is only as good as those carrying out the duties. If the Sherriff's know they are responsible for it, they may be better at carrying out those duties. Another issue involves the training of PSD staff entering data into system. SGC is asking PSD for additional information on the system shut downs, such as, protocol developed and the facility staff being aware of the process. The SGC were informed that although staff are regularly trained, multiple shifts and staff changes contribute to erroneous notifications being released. It is the responsibility assigned to the position, not the individual staff designated currently for that post. PSD continues to update the Point of Contact (POC) list when changes occur, to prevent, as much as possible any future errors from occurring. Messages about shutdowns are received and counties get it from the Chair. However, SGC members would like to receive this information firsthand as well as have access to this POC list so if there is a system shutdown, members will know who to contact. A concern raised: If staff does get notice of a system shutdown, what do you do with that? Isn't there something that SAVIN sends out? Response: Yes. PSD can contact APPRISS to verify the notification and will work on creating a policy to attach to the position. On the outer islands, the Corrections Logistic Officer (CLO) is responsible for all of data entering but every facility is different especially those with an Intake section, which is not open 24/7 like the jails or triple C's (HCCC, KCCC, MCCC, OCCC). At those facilities, the Intake officer enters data. The SGC understands correctly that while no one may be there to enter data, each facility has a Watch Commander who is capable and trained to conduct a manual Emergency Override Line (EOL) procedure to call APPRISS for release notifications or other types of notifications, even when there are releases on weekends.

Is there a way PSD could set up the system to enable advance notifications on a MAX out case that a release will be occurring in 2 weeks? Response: Currently, APPRISS does send out a 14-day advanced notification on releases. In these cases, the problems do not appear to be with the notifications themselves, but most victims are not signed up.

The script changes were complete in Aug 2019 and the hard copy was received. However, APPRISS is still working on updating the verbal translations. SC will keep the SGC updated on the progress.

3d. Reappointment of Members:

The task is complete, and members should have received their letters for reappointment. Question: For some members, their term expires in 2020. Is the SGC planning for the transition? Response: Yes, the Attorney General's (AG) office is involved and it should be an easier transition with PSD. SC to make sure that there are no lapses. Question: Is the SGC going to try and change statute? Response: Anytime there is a change in statute, it is not necessarily a good thing. The respective SGC member agency can delegate the next member but the appointment will not be official until signed off. Therefore, the SC will have another discussion with AG. Concern raised: If that is the case, then why have terms? Response: The SGC will reclarify with AG to make sure we are okay. The standard language for terms is noted but it appears to have conflicting information. This appears due to those who drafted this legislation having inserted standard language to satisfy the Boards & Commissions guidelines without thinking that

SG is not a Board or Commission. One can further argue that there was a break in service. PSD SC will make sure there is a duly appointed and recognized board.

3e. Survey Monkey: – Surveys on the VINE system continue to arrive with current number received at approximately 91. Request was made to have a report printed out and issued at quarterly meeting so that those questions that may be arising out of the survey can be addressed. PSD SC to forward report and link.

3f. System Reconfiguration:
Since PSD/SAVIN has an “Open system,” the Committee discussed the question raised about being able to measure how many registered victims are making use of the VINE system. To gather this data, this question could be generated up front upon registering on VINE without asking for any identifiable information. Because this is a statistic that PSD does not capture, it would be great to know if the user base for whom the system was intended is growing. The SGC response, these were issues discussed up front during talks to determine if the new system should be Open or Closed. It doesn’t matter and what would be the purpose, especially since we have an open system. In any event, SGC does not want anyone to be able to access this type of information.

Break: 10:48 am

Regroup: 11:00 am

2. SAVIN Operating System Review:

The contract ends on April 30, 2020 with one 12-month extension remaining. Regarding issuing a request for proposal (RFP) for new system, in April 2019, the SGC asked for input for a new system. In May 2019, at the National Institute of Corrections (NIC) National Association of Victim Assistance in Corrections (NAVAC) conference, members of the SGC met with Lydia Newlin of Minnesota Department of Corrections (DOC) and Mary McCaffity from Texas DOC about their victim notification system. A copy of the Texas request for proposal (RFP) was subsequently forwarded for review to aid PSD in making decisions around an operating system. Due to the time frame, there are concerns that an RFP will not be completed in time. Question raised: The other concern with APPRISS is what they are doing with the data they collect and if it is being shared, as some have heard. Is there specific proof that the data is being shared? Response: It is unknown here in Hawaii but in other states, probably. There is also on the table a proposal to do a Request for Information (RFI), but most people do not think it will be necessary.

Back in June 2019, Texas DOC (Mary McCaffity) highlighted their system during a presentation to the SGC. There were interesting questions being raised as a result of her presentation and regarding a move to a new victim notification operating system. Soon thereafter, PSD began to move forward on their departmental interest to procure a new Correctional Information Management System (CMIS). SC raised a concern about the SAVIN system needing to be reconfigured again to be able to interface with the new CMIS that PSD will be pursuing. However, it was reported that a new Victim Notification system would not be an issue, therefore, the SGC agreed to wait no longer to issue an RFP as it will not be supported by PSD but through a Vendor. There is an ability for the old system to transfer data to the new system.

A concern was raised that if the RFP is continued to be in process by April, can the current contract be extended for a short period of time to avoid longer ties with Appriss.

PSD informed the members that the goal will be to complete the RFP by the end of the year. PSD can additionally ask for a 3-month extension with its current vendor, as needed. The bulk of the work will be done by PSD before it is reviewed by the Subcommittee. The Subcommittee will then review, refine, then prepare for submission. The Subcommittee members were defined as: Tommy Johnson, Dennis Dunn, Suzy Camacho-Ucol, Greg Esteban, Garret Takahashi. A request was made, if possible, to add language in the RFP to include the new system being able to interact with all counties at the cell block level.

Regarding the allegations surrounding the sharing of information by APPRISS. Although member of the SGC would like to work with APPRISS to end this problem. No one was able to provide any clear evidence to confirm this practice is occurring. SC will continue to work with PSD IT to ensure the potential for this to occur and if so, what can be done for preventive measures. An update will be provided to the SGC as needed.

4. **SAVIN SWAG:**

PSD SC was able to purchase a variety of items from the VINE Swag store through our current budget with APPRISS and offered to members. SC announced that if there are special requests or suggestions, to let SC know. SC states that handing out swag is an easier way to inform the public besides making announcements at neighborhood board meetings or other forums. The more the public is made aware of the services available, the less victims are created.

5. **Announcements:**

Minutes for the June 21, 2019 were reviewed. There were no additions, deletions, or corrections noted. The minutes were accepted and approved.

The next meeting will return to the regularly scheduled format from 9:30 -11 am, which is to be followed by JRI Victim service meeting.

Next meeting: January 16, 2020

6. **Open Forum:** Not applicable

7. **Meeting adjourned**

11:45am