

# Campaign Finance Reform

## POSITION IN BRIEF

Action to support effective campaign spending controls, limitations on contributions and expenditures, and indirect and direct public financing of campaigns

## POSITION

In order to insure the public's right to know, to combat corruption and undue influence, and to make it possible for candidates to compete more equitably for public office, the League of Women Voters of Hawaii believes that a campaign spending law must include features that require:

1. Full and timely disclosures of all campaign contributions and expenditures
2. Limitations on contributions and expenditures
3. Candidates to have one central committee to control and report all financial transactions
4. Establishment of an independent body to monitor and enforce campaign finance laws with strong penalties for violations
5. Indirect public funding of campaigns, such as TV or radio time, campaign brochures, or other services which would be supplied at public expense to eligible candidates, and/or

Direct public financing of campaigns in order to reduce the escalating cost of campaigns, eliminate the undue influence of large contributors, free the candidates and public officials from the burdens of fundraising, level the electoral playing field so that any qualified candidate has the opportunity to run for office regardless of wealth or access to it

5. Broaden the base of campaign financing to a workable level through tax credits/deductions, income tax check off, voluntary contributions, and government appropriations

In addition, the expenditure of public funds for candidates should be administered in the following manner:

1. Public funding should be made available for candidates, not political parties, for all elective offices in both the primary and general elections.
2. Financing and services from public funding must be sufficient to adequately fund candidates and encourage participation in the public funding program (but not unduly burden taxpayers)
3. To qualify, candidates must show tangible support of a constituency by (either signatures and/or seed money) securing a set number of signature with a small contribution and a prescribed maximum amount of private seed money which may be allowed.

Consensus January 1979

## HISTORY

The League of Women Voters of Hawaii has been concerned about campaign spending since the late 1960's. We have lobbied at the legislature and at the state Campaign Spending Commission; and two leaguers have been members of the Campaign Spending Commission.

The Hawaii League began a study of state campaign practices and finance in 1968 as a natural outgrowth of our Election Laws and Ethics studies. Our first position, reached in 1969, emphasized disclosure of contributions as well as expenditures. Legislation passed in the early 1970's implemented this position, though not in all details.

In 1973 the national League of Women Voters embarked on a study of campaign spending and public financing of elections. The resulting national position, applicable to all federal campaigns for public office, differed from the Hawaii League's position in two areas: (1) it favored limits on contributions and spending; and (2) it called for direct public financing of campaigns. The state board, after reviewing local League responses to the national consensus, determined that members did support limits on spending and contributions at the state level, but did not support direct financing. Therefore, we acted at the state level, using the national position, with the exception of direct financing for state offices. (National position is outlined in "Impact on Issues")

In 1973 Hawaii adopted mandatory spending limits for all candidates. The U.S. Supreme Court subsequently decided that spending limits were unconstitutional unless candidates accepted public funding. Because of this, the state board decided in 1978 that we needed to update our previous position and to try again for consensus on direct financing and related topics. In 1979 the membership reached agreement on several points governing the administration of public financing and reaffirmed the position in favor of indirect public funding.

During the 1979 and 1980 legislative sessions, the League supported Common Cause/Hawaii in its efforts to plug a "loophole" in the disclosure provisions of Hawaii's campaign spending law. A bill to this effect was enacted in 1981.

Subsequently, the League has opposed bills that would repeal or weaken the state campaign spending law. We have also supported resolutions calling for an evaluation of the law. Problems that need to be addressed: voluntary spending limits, contribution limits, monitoring independent committees, and enforcement.

"Update: Public Financing of Election Campaigns". League of Women Voters of Hawaii, 1978

In 1997, due to the escalating costs of campaigns both nationally and locally, and the abuses noted by soft money and attack ads disguised as issue advocacy, the League of Women Voters of Hawaii reviewed its position on campaign finance. The membership then approved adding direct to indirect public funding to our position.

(Underlined areas are additions)

# Constitutional Convention '98

Position Paper on the Question:

## Should there be a convention to propose a revision of or amendments to the Constitution?

The members of the League of Women Voters of Hawaii, after careful study and evaluation of information, have reached consensus that a state constitutional convention in 1998 is neither necessary nor desirable. Along with many members of the public, League members see many issues that might be addressed by a convention. However, our consensus is the arguments for holding one at this time are outweighed by the reasons for not having one.

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### NO COMPELLING NEED FOR A CON CON NOW

In a speech to Honolulu League members, Dr. Anne Feder Lee, author of [The Hawaii State Constitution -- A Reference Guide](#), contended that there are no "fatal flaws" in our constitution.<sup>1</sup> There are no critical shortcomings, she asserted, that result in very serious problems for the governance of our state, and therefore, a Con Con is not needed at this time.

The 1950 constitutional convention was held for a very specific reason -- to write a state constitution that would demonstrate to Congress and the nation that the citizens of the Territory of Hawaii were ready to assume the responsibilities of membership in the union of states. In addition, having a constitution already prepared would hasten the process of organizing the state government once statehood was achieved.

The 1968 convention was necessary to address the serious problem of apportionment of the legislature because of the "one person - one vote" ruling by the U.S. Supreme Court although the delegates did not confine themselves only to that issue.

While there were no compelling legal reasons for holding the 1978 convention, advocates of "good government", including the League of Women Voters, felt that there were many issues that needed review. A 74% approval for the holding of a convention, following publicized

support by various community groups and the newspapers, would indicate that there was general consensus that our constitution was in need of revision.

As a result of the '78 convention, two new articles and approximately 40 sections were added to the constitution. Reapportionment and Code of Ethics had been addressed formerly under other articles but were set up as separate articles. A new section added under the Bill of Rights insures privacy for our citizens distinct from that in Section 7 which prohibits unreasonable searches and seizures and invasion of privacy understood to be limited to criminal cases.

Other new sections in the constitution expand on environmental protection and control, campaign finance and contribution controls, limit the governor and lieutenant governor to two consecutive 4-year terms, add a requirement for open committee meetings in the legislature, allow local governments to have power over real property taxation, and created the Office of Hawaiian Affairs. Among other revisions, a newly created judicial selection commission was given an important role in the selection and reappointment of judges, and a new intermediate court of appeals was created.

There has been, so far, no public ground swell of support for a 1998 constitutional convention. Furthermore, some of the '78 amendments and revisions have yet to be fully implemented.

### **LWV Interviews Indicate Little Support for a Con Con**

During our study, the League interviewed over 90 individuals in Hawaii -- government officials, community leaders, members of the academic community, etc. -- to obtain their views on certain articles of the constitution. While many issues were raised as worthy of review, the overwhelming majority felt that a convention was not necessary to address these issues at this time.<sup>2</sup>

### **Cost Too High**

Holding a Con Con in 1998 would be very costly. We believe that the cost of financing a convention, including the special election to select the delegates, is not warranted at this time particularly because the state is facing critical financial problems. Unofficial estimates run from \$7 million to \$10 million for the convention itself. The cost of the special election to select delegates is estimated to be over \$2 million. If there were critical problems with our constitution, the cost of a convention should not be considered a deterrent. If there are no critical problems, but only the belief that there should be essentially automatic periodic reviews of the constitution, then the cost should be considered.

We believe that the state must first sort out our priorities on state programs and make the adjustments to function within expected revenues. Once that is done, it is the time to consider funding a constitutional convention.

## Emotional Issues Could Dominate

League members and many of the people interviewed expressed the fear that emotional "hot button" issues -- sovereignty, same sex marriage, and gambling among others, -- could likely dominate the convention and polarize the delegates to the detriment of a rational review of other equally or more important issues. Certainly, our 1996 legislative session could have been more productive if so much time and energy had not been expended on some of these emotional issues.

The case of Arkansas, which held conventions in 1970 and 1980, illustrates the problems arising out of the domination of emotional issues. Voters there rejected the products of those two conventions because as Andre Henderson, author of "Selling a Constitution" explains in the December, 1995 edition of *Governing*, the conventions failed to a large degree because of "the role abortion, gambling and usury played in the convention debate". He quotes one of the delegates involved in the 1970 convention who said, "They addressed issues which were not critical to state government but which would inflame folks."<sup>3</sup>

There is precedence in Hawaii for our concern. In the preface to the official report of the 1978 convention, Mr. William Paty, convention chair, cites Initiative, Recall and Referendum as "a key issue pervading the convention". According to this report, a large and vocal group supported it, but the majority opposed it.

This was one of the causes for the schism which developed in the body and, he says, "There is no question that this division detracted from the work of the convention."

No one expects total unanimity on all issues. Hotly contested issues will always be present. But there is a distinction between merely controversial issues and emotional issues. For example, the issue of unicameralism versus bicameralism may be a controversial issue and would certainly invoke much debate, even heated debate, but the floor and public debate would be, to a great extent, driven by intellectual considerations of the merits and weaknesses of each system, except, maybe, on the part of some legislators and would-be legislators who see their seats threatened. On the other hand, it would be extremely difficult to take the emotionalism out of the same sex marriage issue. Some people fear that even the Bill of Rights might be eroded. Even though the voters must ratify the product, the fear remains. If too many emotional issues are present, schisms are created which prevent the rational discussion of even the less controversial issues. This would probably be a prescription for failure.

## Hawaiian Sovereignty an Uncertainty

Another reason given by many who oppose a 1998 convention is the sovereignty issue. They feel that the Hawaiian community needs more time to reach consensus. If such consensus has implications for our constitution, then a Con Con may have to be held to consider any necessary changes. We believe that it makes sense to wait so that Hawaii's citizens have a clearer picture of what develops regarding sovereignty issues before having a convention.

## **The Legislature's Authority to Initiate Constitutional Amendments Should Be Used**

It is important to point out that a Con Con is not the only means for amending our constitution. The legislature has the authority to propose amendments which then go before the voters for ratification. Citizens can ask legislators to introduce legislation proposing amendments. Citizens can lobby for their passage.

Ann Feder Lee's challenge to us in her December speech, in reference to the possible need to change the State/Counties relationship (the area which many people identify as in need of review) was, "How do we know that the legislature is totally unwilling to propose changes? Have we really tried?" In her concluding statements, she said, "I believe calling for a Con Con in some sense avoids the hard and serious work of mobilizing the public in favor of changes so that the legislature will act. Without such mobilization, no changes will come out of either the legislature or a constitutional convention."

Hawaii's legislature has, in fact, proposed a considerable number of constitutional amendments. Since statehood, such proposals have gone before the voters at almost every general election with many being ratified but others defeated. For example, voters have ratified the following legislatively proposed amendments: limiting the governor's line item veto power (in 1974); clarifying how constitutional convention proposals must be put to the voters (in 1980); granting the chief justice power to make temporary assignments of retired judges (1986); and increasing the amount of money that must be at issue before parties to a civil case are entitled to a jury trial (in 1988). During three legislative sessions, the LWV of Hawaii actively lobbied for the proposal of amendments which were necessary to make various aspects of Article IV, on reapportionment, conform to U.S. constitutional mandates. Once those amendments were placed on the ballot, the League carried out public campaigns urging voters to ratify them. Although they did not receive voter approval in 1988 or in 1990, they were successfully ratified in 1992.<sup>4</sup>

If the same energy and time that community groups invested in preparing for the '68 and the '78 conventions were used to study and prepare proposals for revisions and amendments to identify problem areas, mobilize public support, and lobby the legislature, we would be more likely to accomplish what we want a convention to do.

It needs to be pointed out as well that holding a convention is no guarantee that particular issues will actually end up as proposals placed before the voters. Past convention history makes clear that many ideas (both good and bad) have died either because of lack of interest or opposition among delegates.

## **Legislature has Authority to Propose a Convention at Any Time**

Although the question of holding a Con Con must be placed before voters at certain times, the legislature can place the issue on the ballot at any election. Should we feel the need for a Con Con before the question must go on the ballot again in the year 2006, the legislature has the authority to place the question on the ballot at any election before then. A mobilized public can pressure the legislature to do so.

The reason the drafters of the constitution included the provisions for the automatic placement of the question on the ballot every ten years was not that they anticipated the actual need for a review every ten years. Rather, it was put in "to provide assurance of opportunity by the People to adapt the constitution to new conditions within a reasonable time if the legislature fails to do so in the face of popular demand".<sup>5</sup>

### **Constitution should not be Cluttered with Detail**

In State Constitutional Conventions: The Politics of the Revision Process in 7 States, the authors state, "The most frequently stated normative prescription for written constitutions are that; 1) they be relatively brief documents that set forth the structure of government, and 2) they state clearly the major limitations placed upon government."<sup>6</sup>

Governments are said to function more effectively under constitutions that contain a simple digest of fundamental principles rather than a series of long and detailed statutory provisions.

League's position on the state constitution portrays the document as "...a statement of the general rules within which sound laws can be adopted to meet changing social and economic conditions." It goes on to say, "The constitution should be the framework which sets forth the structure of government, clearly states the major limitations placed upon governments, and preserves rights to the people..."

When the people, through their constitution, demand a balanced budget, we are placing certain restrictions on state government spending.

When we set up the Council on Revenues to prepare revenue estimates for the state, we are guarding against manipulation of figures by the state government to allow for inflated budgets. When we constitutionally limit regular sessions to 60 days with provisions for extensions up to 15 days following certain procedures, or when we constitutionally set up definite procedures for the passage of bills, we prohibit the legislature itself from determining such matters. When we set up the Bill of Rights in our constitution, we are reserving certain rights to the people.

Many of the restrictions we place in the constitution are necessary to limit the powers of our government. However, there is always the danger of placing so many limitations and restrictions on government that it no longer has the power to be innovative and lacks the flexibility to adapt to changing conditions. When restrictions are placed in a constitution, the only way to change them is through the amendment process, which is difficult (as it ought to be).

### **Constitutional Law and Statutory Law**

*Excerpts from the Constitution of the State of Hawaii*

Article II. Suffrage and Elections, Section 6. "Limitations on campaign contributions to any political candidates or authorized political campaign organizations for such candidates, for any elective office within the State shall be provided by law."

Article IX. Public Health and Welfare, Section 1. "The State shall provide for the protection and promotion of the public health."

The first provision states that there will be limitations placed on campaign contributions, and it leaves it up to the legislature to set the limits. That is as it should be. Situations change, and monetary values change. If the details were set in the constitution, this would necessitate frequent amendments.

The second provision binds the state to safeguard public health, but the "how" is left up to the legislature.

These two examples begin to explain the difference between constitutional law and statutory law. Where a constitution speaks in broad principles, statutory law provides the details (e.g. how a constitutional provision is to be implemented). Our constitution does include provisions that could be left to statutory law. Each time a convention was held to revise it, we have added more details to our constitution. The temptation exists for various interest groups to place in the constitution statutory provisions that give them certain powers or that address their interests. Whether it be environmental groups, the gay community, labor, good government organizations, or governmental agencies, these forces will be pushing their agendas at any constitutional convention. As meritorious as these agendas may be, most of them should be addressed by statutory law. Most of these issues should be debated in the hearing rooms of the legislature and the House and Senate chambers rather than on the floor of a constitutional convention.

## Conclusion

Professor Jon Van Dyke views the constitution as an organic document, still being developed.<sup>7</sup> The League of Women Voters agrees that our constitution should not be considered a static document. We feel that the constitutional provision for periodic review is essential. In fact, League supported the 1968 and 1978 conventions, and alone and in coalition with other public interest groups, engaged in massive efforts to educate the public on constitutional issues, to stimulate individuals to run for delegate seats, to present information on the candidates to the public prior to the election, to prepare elected delegates for the convention, and to inform the public on the proposed amendments in preparation for the referendum on these proposals.

To summarize, we believe the following reasons dictate against a 1998 constitutional convention in Hawaii: the absence of fatal flaws in the existing document, the high cost at a time of financial uncertainty, the likelihood that emotional issues will dominate to the detriment of rational debate, the need to give the Hawaiian community time to reach consensus on the sovereignty issue, the need to make a concerted effort at utilizing the legislature for proposing amendments before turning to a convention to solve problems (i.e., a Con Con should be the last resort), and the need to avoid unnecessary detail being placed in the constitution.

In the year 2006, when the question must once again be placed on the ballot, or even before that should the need arise, the League of Women Voters may very well be in the vanguard calling for a constitutional review. But we believe that 1998 is not the right time.



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## Notes

1. Dr. Anne Feder Lee. Author of The Hawaii State Constitution: A Reference Guide, Greenwood Publishing Group, Inc., 88 Post Road West, Box 5007, Westport, CT 06881-5007  
Former president, League of Women Voters of Hawaii. One of three panel speakers on Con Con at a Honolulu LWV membership meeting in December, 1995
2. Report of LWV Hawaii's Con Con Study Committee distributed to League members as an insert to the April, 1996 issue of Aloha Voter, Honolulu League's monthly membership newspaper.
3. Governing. The Magazine of States and Localities. Published monthly by Congressional Quarterly, Inc., 2300 N. St. NW. Suite 760, Washington D.C. 20037
4. To be ratified, amendments to the Constitution of the State of Hawaii need the approval of a majority of all the votes tallied upon the question in a general election, this majority constituting at least 50% of the total vote cast at the election. In effect, all blank ballots and void ballots are counted as "no" votes. Different requirements exist for ratification at a special election.
5. Quote from a speech by Dr. Norman Meller, Professor Emeritus, UH/Manoa, at a LWV Honolulu membership meeting, December, 1995.
6. State Constitutional Conventions: The Politics of the Revision Process in Seven States. Authors: Elmer E. Cornwell, Jr., Jay S. Goodman, Wayne R. Swanson. 1975. Praeger Publishers, 111 Fourth Ave. New York, N.Y. 10003

# **Election Laws and Procedures**

## POSITION IN BRIEF

Action to insure that government at all levels pays for special elections; private funds should not be solicited or accepted.

Action to support adequate safeguards to preserve the integrity of the ballot used in absentee voting and elections by mail, to insure fairness to all voters, and to minimize the opportunity for fraud.

Action to support voter registration by mail, utilizing proper safeguards.

## POSITION

The League of Women Voters of Hawaii believes that elections are public business and should be funded by public money to insure fairness. Paying for a special election may allow a private party to influence the timing of the election to its own advantage. Equally important, private funding may be perceived as conferring such an advantage, further undermining the public's faith in the integrity of the election process. Therefore, private funds to pay for elections should not be solicited or accepted.

The League of Women Voters of Hawaii supports safeguards in voting laws and procedures including the following:

1. Procedures for handling mailed-in ballots must be secure and specified in detail by law to insure uniformity in each county.
2. Absentee ballot applications should be mailed directly to the applicant by the office of the county clerk. They should be returned directly to the clerk's office. No intermediaries should be allowed.
3. Signatures must be checked against the original registration.
4. Attention should be focused on minimizing the opportunity for fraud.
5. Regulations should not be so restrictive as to discourage voting.

The League of Women Voters of Hawaii supports registration by mail to increase accessibility to the electoral process. Mail registration should employ appropriate safeguards to minimize the opportunity for fraud.

(Consensus, July 1986; January 1987)

## HISTORY

The right of every citizen to vote is a basic League principle, so the laws governing elections are naturally a prime area of interest for the League. The first study adopted by the newly-formed League of Women Voters of Hawaii in 1966 was a Study of State Election Law Administration. It was completed and later dropped from the program because most positions had been achieved.

In 1984 a special election on an initiative measure in Kauai County focused much attention on several issues involving Hawaii's election laws. One was the question of whether private funds should be used to pay for public elections; another was absentee voting procedures and the handling of absentee ballots.

After rejecting a proposal to reach a position on funding through the concurrence process, the state board proposed to the 1985 state convention the adoption of a Study of Election Laws, to include issues relating to financing of elections, special elections, registration procedures, and absentee balloting procedures. Positions have been reached, but as yet no major action has been taken.

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Election Laws Study: Part I: Who Should Pay for Special Elections? League of Women Voters of Hawaii, 1986

Election Laws Study: Part II: Absentee Voting - Elections by Mail - Registration by Mail. League of Women Voters of Hawaii, 1986

# Energy

## POSITION IN BRIEF

Action to promote energy conservation and research into alternate energy resources available in Hawaii, taking into consideration environmental effects, economic feasibility, and differing conditions on each island.

## POSITION

The League of Women Voters of Hawaii recommends the following as the most feasible alternatives to fossil fuels for the State of Hawaii: solid waste, biomass conversion, solar energy, wind energy, and hydroelectric power. These alternatives were selected in view of the present technological stage of development, energy demands that can be met, and economic feasibility. The applicability of these alternatives varies from island to island and the League stresses that local conditions must be considered.

The League further believes that research should be encouraged in all types of alternate energy sources with careful consideration of the impact on the environment. However, alternate energy sources adopted must maintain, not lower, established environmental standards.

Energy conservation and public education about the energy situation must be undertaken at all levels of government as well as by the private sector and the general public.

Consensus, June 1976

## HISTORY

Energy became a major issue of the League, both nationally and locally, in 1974. In 1974 the national convention established an Energy Task Force to chart future League direction on energy issues. The task force work led to the 1975 national position supporting energy conservation as national policy. Study of energy sources followed in 1976, and the current national position was announced in March 1978. (National position is outlined in *Impact on Issues*).

Meanwhile, in Hawaii, two League members served on the governor's Conservation and Gas Rationing Committee and on the Alternate Energy Sources Task Force during 1974. In March 1975 the Hawaii County League of Women Voters plunged into an intensive study of energy sources and current consumption and conservation measures in Hawaii County, and reached a position in late May. That same month the state convention adopted energy as a study item. Hawaii County League's study and study material were expanded to cover the state situation and state government action. The position reached in June 1976 emphasizes that alternate energy sources should be evaluated for suitability on an island-by-island basis.

League activities have focused on informing the public about the energy situation and energy alternatives, mostly in cooperation with other groups, the University of Hawaii and the State

Energy Office. In November 1977 the League received a grant from the League of Women Voters Education Fund for a statewide energy education project. The grant was used for a variety of activities including cosponsorship with the University for six energy fairs throughout the state, purchase of a film, and printing of informational brochures.

In 1981 the League of Women Voters of Hawaii received a pass-through grant from the national League of Women Voters for an educational project on nuclear waste in the Pacific. This money, supplemented by additional funds raised locally, was used to produce a videotape, Slowly Dying Embers: Nuclear Waste in the Pacific, in cooperation with the East-West Center and the Health Physics Society. In addition, the League sponsored a forum on sub-seabed disposal of high level radioactive waste, which attracted an overflow crowd. A pamphlet, Nuclear Waste in the Pacific, was published as a companion to the National League's Nuclear Waste Primer.

At the legislature, the League has monitored proposed energy legislation and testified on selected energy conservation and alternate energy development bills.

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Facts and Issues: Energy in Hawaii. League of Women Voters of Hawaii, 1976

Nuclear Waste in the Pacific. League of Women Voters of Hawaii Education Fund, 1983

Slowly Dying Embers: Nuclear Waste in the Pacific. Videotape. League of Women Voters of Hawaii Education Fund, 1982

# Hawaii Schools

## POSITION IN BRIEF

Action to support the public's rights and interest concerning the administration, policy setting, and budget making for the statewide K-12 school system.

Action to support the goal of equal educational opportunities for each child, and financing procedures to reach this goal.

Action to support the principles of "choice" for students, teachers, parents, and staff as appropriate and essential for improving performance and participation in secondary and elementary school functions and programs.

Consensus 1987

Action to support the state Board of Education policy on small schools and support the development of schools-within-schools and charter schools as a means of downsizing Hawaii's large schools and personalizing education for students.

Consensus 1997

## POSITION

The League of Women Voters of Hawaii believes that education is a unique function of state government and therefore:

1. Voters should elect people charged with the specific responsibility for guiding education.

This does not restrict our position to election only of state Board of Education members. League members feel some more local, responsive structure might be developed to bring educational policy setting closer to the people. League members indicated a desire for a structure that could decentralize some of the policy making authority.

2. There should be a state board as a strong, independent advocate of education.

Members are hopeful the state Board of Education will develop a strong posture as representative of the people in this single area of concern -- education. A state level board is important to maintain constant, overall supervision of the system.

3. A state Superintendent of Education should be appointed by the state Board of Education as administrator of the state system.

Members expressed concern that the superintendent be as free as possible from various political pressures. The superintendent's first responsibility should be to the Board.

4. The state Constitution should specify how the state Board of Education members are to be elected, who will appoint the state Superintendent of Education, and define the Superintendent's working relationship with the Board.

What we are emphasizing is that the Hawaii State Constitution should outline the educational structure, thereby promising the citizens of the state with assurance that the structure will not be changed without their consent.

Consensus, September 1970

5. Tools should be provided which assure public input at the local level in educational policy setting.

This statement, which arose from the second year study centering on school finance, again emphasizes that the system needs to be close to the people. It is important to encourage and facilitate meaningful citizen input at the local level in the early stages of budget development when school districts are setting their priorities. taxes.

6. We support the state general fund as the primary source of funding for the statewide K-12 school system.

This method provides a broader, more equitable and dependable base for school financing than would result with local district

7. We oppose giving the state Board of Education the power to tax.
8. We support a budget-making process that provides for input by citizens at the local level, by the state Board of Education, by the Department of Education staff, and by legislators.

League members expressed general support for the method in which educational priorities are presently assembled for budget-making, but they expressed concern that the process should:

- a. Assure meaningful citizen input at the local level in the early stages of budget development.
- b. Provide a device for thoughtful, realistic priority setting by the Board of Education and Department of Education.
- c. Include the legislative review implicit in our state funding processes. This legislative review, as presently structured, is costly in both time and money. Inefficiency in scheduling hearings results in department staff waiting hours, sometimes days for their call to testify.

9. Tools should be provided within the financial structure to assure that the capital and operating budget for education, once adopted, will be followed closely.
  - a. Priorities established in the budget should not be unduly altered.
  - b. In release of funds for education, the governor should not attempt to change the adopted priorities. We believe spending decisions should be made within the framework of the originally established budget priorities.

Consensus, December 1971

10. The League believes that the best approach to revitalization of Hawaii's public schools is through implementation of the principle of "choice" for elementary and secondary schools in Hawaii.

Implementation of the principle of choice means the League will support the following:

- a. Development of distinctive, deliberately diversified schools and programs to give students, teachers, parents, and staff good reason to choose an alternative school.
- b. Freedom for students, teachers, parents, and staff to choose the school or program in which they prefer to participate.
- c. Autonomy for the school or program to make its own decisions: administrative, financial, personnel, and curricular to carry out the innovative features that make it distinctive.
- d. Increased parental and community access and involvement in the schools

Educational choices may involve content, instructional methods, emphases, and activities, either in separate schools or in programs within a school. Choice does not imply neglect of basic skills or lack of educational standards. On the contrary, the purpose of providing alternatives is to create settings in which students are involved and motivated to learn, in which teacher satisfaction and commitment is high, to which the parents give confidence and support, and which have a chance of improving the system of educational delivery.

*\* Sometimes the word "choice" is used in support of voucher systems. In reaching this position, we did not consider vouchers. Therefore, this position cannot be interpreted to support or to oppose the use of vouchers.*

## HISTORY

As this study began in early 1970, our first task was to develop an understanding of the statewide system as it stood. Initial study efforts centered on top state administration levels and the provisions for education in our state constitution. The position for elected school boards at some level of government was reached in late spring 1970, and almost immediately Leaguers throughout the state were immersed in a campaign against ballot proposals advanced by the 1970 legislature to eliminate the constitutional provisions for an elected state Board of Education and to remove the provision that the board would select the state superintendent. Voters rejected these proposals and the League was widely credited with influencing the vote. The pressure to appoint the school board has continued in the legislature. The League has continued to act to



reinforce our position that the voters should elect the people charged with the specific responsibility of guiding the schools.

The second area of study was “The DOE and the Dollar”, which led to a position on financing public education. Interestingly, this section also resulted in highlighting League member concern for increasing public input in education. This aspect of our position was given major emphasis in following years.

The 1972 state convention directed the League’s schools committee to focus next on a study of curriculum, but this area proved difficult. Written material was prepared, but no consensus was attempted. In 1975 the League published “A Parents’ Guide to Schools in Hawaii.” This publication was widely distributed through purchase by PTA members, the Department of Education, and members of the public.

Following the hiatus of several years, a new schools committee was formed in 1977 and state convention directed it to review the League’s position on schools. The 1978 League state council approved a new focus: to assess factors which influence school policy and define areas for action; and to develop a plan of action to insure full use of all avenues - existing and new - in which the public could/should have maximum input. Much of the committee’s effort continued to be informational, such as exploring the issue of competency testing and publication of a series of fact sheets on different aspects of the educational system which affect policy.

At the 1978 Constitutional Convention the League again spoke for our proposal to establish locally elected boards of education which would address district concerns and be responsible for selecting members to serve on a statewide board. In line with our national position on equal access to education, we spoke against a Con Con proposal to permit state funding for private schools.

In 1985, in response to concerns about education in Hawaii and nationwide, the Kauai League proposed a new study which would look at how best to improve the education of Hawaii’s youth. Kauai members were particularly interested in the need to update and strengthen vocational programs. Other proponents of the study wanted to look at new approaches to education being tried in other communities on the mainland. Although the study, originally entitled ‘Study of Vocational and Alternative Education’, was not recommended by the state board, it was enthusiastically embraced and adopted by convention delegates.

The committee began its work by collecting reports and data on alternatives such as the Minnesota plan, magnet schools, city as school, and others. Interviews with educators and participation in other educational planning groups were part of the data gathering. The DOE and community college system cooperated, with student data and surveys.

In November 1986 the League brought Mary Anne Raywid, director of Hofstra University’s Center for the Study of Educational Alternatives to Hawaii for a conference, “Action for Education: A New Era in Hawaii”. As a result of the conference, the League continued a relationship with Dr. Raywid who has kept us current on trends in educational reform on the mainland.

The League committee also held a series of “Listening to Teachers” meetings, bringing together teachers and the community for a dialogue about education. Data from these meetings were made available to the Department of Education personnel and others for whom it is useful.

Consensus meetings were held during spring 1987, and a position in support of the principle of “choice” was approved by the state board in August 1987.

Action has focused on educating the public and decision makers about the merits of choice in secondary education and on investigation to ascertain the best methods to actually implement the principle of choice in Hawaii’s schools.

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Hawaii Schools Workbook. League of Women Voters, June 1970-February 1971

History of Curriculum Development. League of Women Voters of Hawaii, September 1971

A Parent’s Guide to Schools in Hawaii. League of Women Voters Education Fund, 1975

Schools 1: Federal Funds and School Policies. League of Women Voters of Hawaii Education Fund, 1979

Schools 2: How the Citizen Can Participate in School Policy. League of Women Voters of Hawaii Education Fund, March 1979

Schools 3: Union’s Role In Shaping School Policy. League of Women Voters of Hawaii Education Fund, May 1979

Schools 4: Union’s Role in Shaping School Policy (Part 2). League of Women Voters of Hawaii Education Fund, November 1979

Action for Education I: Alternatives in Public Secondary Education. League of Women Voters of Hawaii Education Fund, 1987

Action for Education: A Conference Report and Recommendations. League of Women Voters of Hawaii Education Fund, November 1986

Charter Schools, Self Government for Public Schools in Hawaii. League of Women Voters of Hawaii, 1997

## Positions on Social Policy

# Health Care

### POSITION IN BRIEF

Promote a health care system for Hawaii that provides access to a basic level of quality care for all Hawaii residents and controls health care costs.

### POSITION

#### Goals:

The LWV of Hawaii believes that a basic level of quality health care at an affordable cost should be available to all Hawaii residents. Other Hawaii health care policy goals should include the equitable distribution of services, efficient and economical delivery of care, advancement of medical research and technology, and a reasonable total state-wide expenditure level for health care.

The League believes it is necessary to preserve the physical, chemical and biological integrity of the ecosystem, with maximum protection of public health and the environment, \*\* (taken from the LWVUS position on Natural Resources).

#### Basic Level of Care:

Every Hawaii resident should have access to a basic level of care that includes the prevention of disease, health promotion and education, primary care (including prenatal and reproductive health), acute care, long term care and mental health care. Dental, vision and hearing care also are important but lower in priority. The League believes that under any system of health care reform, consumers/patients should be permitted to purchase services or insurance coverage beyond the basic level.

#### Financing and Administration:

The League favors a national health insurance plan financed through general taxes in place of individual insurance premiums. As the U.S. moves toward a national health insurance plan, an employer-based system of health care reform that provides universal access is acceptable to the League. The League supports administration of the U.S. health care system either by a combination of the private and public sectors or by a combination of federal, state and/or regional government agencies.

The League is opposed to a strictly private market-based model of financing the health care system. The League also is opposed to the administration of the health care system solely by the private sector or the states.

## Taxes:

The League supports increased taxes to finance a basic level of health care for all Hawaii residents, provided health care reforms contain effective cost control strategies.

## Cost Control:

The League believes that efficient and economical delivery of care can be enhanced by such cost control methods as:

- reduction of administrative costs
- state planning for the allocation of personnel, facilities and equipment
- establishment of maximum level of public reimbursement to providers
- malpractice reform
- use of managed care
- utilization review of treatment
- mandatory second opinions before surgery or extensive treatment
- consumer accountability through deductibles and copayments

## Equity Issues

The League believes that health care services could be more equitably distributed by:

- allocating medical resources to underserved areas
- providing for training health care professionals in needed fields of care
- standardizing basic levels of service for publicly funded health care programs
- requiring insurance plans to use community rating instead of experience rating
- establishing insurance pools for small businesses and organizations

## Allocation of Resources

The League believes that the ability of a patient to pay for services should not be a consideration in the allocation of health care resources. Limited resources should be allocated based on the following criteria considered together: the urgency of the medical condition, the life expectancy of the patient, the expected outcome of the treatment, the cost of the procedure, the duration of care, the quality of life of the patient after treatment, and the wishes of the patient and the family.

## HISTORY

In 1990, the LWVUS undertook a two-year study to examine policies for the funding and delivery of health care in the United States. The study was divided into two phases - Phase I would study the delivery and policy goals of the U.S. health care system, and Phase II would focus on health care financing and administration choices. The LWVUS announced its initial health care position in April 1993.

The health care position outlines the goals the LWVUS believes are fundamental for U.S. health care policy. These include policies that promote access to a basic level of quality care at an affordable cost for all U.S. residents and strong cost control mechanisms to ensure the efficient and economical delivery of care. The Meeting Basic Human Needs position also addresses access to health care.

The new health care position enumerates services League members believe are of highest priority for a basic level of quality care: the prevention of disease, health promotion and education, primary care (including prenatal and reproductive health care) acute care, long-term care and mental health care. Dental, vision and hearing care are recognized as important services but lower priority when measured against the added cost involved. Comments from numerous state and local League, however, emphasized that these services are essential for children. Results of consensus taken in Hawaii mirror what was finally adopted as national position on Health Care, 1992.

Millions of Americans cannot meet their basic health care needs due to factors such as geographic location, sex, race, culture or socioeconomic status. To achieve more equitable distribution of services, the League endorses increasing the availability of resources in medically underserved areas, training providers in needed fields of care, standardizing the services provided under publicly funded health care programs and insurance reforms.

The LWVUS health care position includes support for strong mechanisms to contain rising health care costs. Particular methods to promote the efficient and economical delivery of care in the United States include state (regional) planning for the allocation of resources, reducing administrative costs, reforming the malpractice system, copayments and deductibles and using managed care. In accordance with the position's call for health care at an affordable cost, copayments and deductibles are acceptable cost containment mechanisms only if they are based on an individual's ability to pay. In addition, cost containment mechanisms should not interfere with the delivery of quality care.

The position calls for a national health insurance plan financed through general taxes, commonly known as the "single payer" approach. The position also supports an employer-based system that provides universal access to health care as an important step toward a national health insurance plan. The League opposes a strictly private market-based model of financing the health care system. With regard to administration of the U.S. health care system, the League supports a combination of private and/or regional agencies. The League supports a general income tax increase to finance national health care reform.

The LWVUS strongly believes that should the allocation of resources become necessary to reform the U.S. health care system, the ability of a patient to pay for services should not be a consideration. In determining how health care resources should be allocated, the League emphasizes the consideration of the following factors, taken together: the urgency of the medical condition, the life expectancy of the patient, the expected outcome of the treatment, the cost of the procedure, the duration of care, the quality of life of the patient after the treatment and the wishes of the patient and the family.

In spring 1992, the LWVUS sent members of the 102 Congress, a memorandum announcing the League Phase I position and urging prompt congressional action to address the health care crisis. The LWVUS Lobby Corps also urged members of Congress to support the League's position. As the LWVUS was completing Phase II of the study, the issue of health care reform was rising to the top of the country's legislative agenda. In April 1993, as soon as the study results were announced, LWVUS President Becky Cain met with White House Health Care Task Force officials to present the results of the League's position. Since then, the League has actively participated in the health care debate.

The LWVUS testified in fall 1993 before the House Ways and Means Subcommittee on Health, the Energy and Commerce Committee and the Education and Labor Committee, calling for comprehensive health care reform based on the League position. The Lobby Corps visited all Senate and House offices with League's support for comprehensive health reform and opposition to legislative proposals that fell short of comprehensive reform. In September, the League joined two coalitions - one comprised of consumer, business, labor, provider and senior groups working for comprehensive health care reform, and the other comprised of groups supporting the single-payer approach to health care reform.

Throughout 1994, the League actively lobbied in support of comprehensive reform, including universal coverage, cost containment, singlepayer or employer mandate and a strong benefits package. The League continued to advocate for the inclusion of the state single-payer option in any health care package and emphasized LWVUS support for the inclusion of reproductive health care, including abortion, in any health benefits package. League leaders participated in countless lobbying visits in Washington - including Convention '94s Day on the Hill - held grassroots meetings with members of Congress and spoke out in the media through press conferences, radio talk shows, editorial board meetings and speeches.

Health care reform advocates, including the League continued to press for comprehensive health care reform through September 1994. But congressional sponsors were unable to reach accord and comprehensive reform was declared dead for the 104th Congress. The focus then shifted to the states, where Leagues have worked in support of health care reform at the state level, while fighting off attempts to cut back on existing health care.

The LWVEF initiated community education efforts on health care issues with the "Understanding Health Care Policy Project" in the early 1990s. The project provided training and resources for Leagues to conduct broad-based community outreach and education on health care policy issues with the goal of expanding community participation in the debate.

In spring 1994, the LWVEF and the Kaiser Family Foundation undertook a major citizen education effort, "Citizen's Voice for Citizen's Choice: A Campaign for a Public Voice on Health Care Reform." The project delivered objective information on health care reform to millions of Americans across the country. Local and state Leagues sponsored more than 60 town meetings in major media markets nationwide, involving members of Congress and other leading policy makers and analysts in health care discussions with citizens. In September 1994, the LWVEF and the Kaiser Family Foundation held a National Satellite Town Meeting on Health Care Reform, with more than 200 downlink sites across the country. The two organizations also

undertook a major television advertising effort to promote public participation in the health care debate.

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Underlined areas indicate a change or addition.  
( Bracketed and underlined ) indicate removal.

# Initiative and Referendum

## POSITION IN BRIEF

Action to support direct initiative for statute law, and petition referendum to give citizens the right to affirm or overturn laws passed by the legislature.

## POSITION

Citizens should have the power of direct legislation to affect the laws which govern them. Toward this end, we support the direct initiative to propose statute law. We support retaining the compulsory referendum for constitutional amendment, and favor the petition referendum to allow citizens to affirm or reject laws passed by the legislature.

Laws governing the use of the initiative and referendum should be made difficult enough to discourage frivolous use, but not so restrictive as to be too formidable. There should be adequate constitutional safeguards protecting the enabling mechanism.

We further believe that the veto power of the governor should not extend to laws passed by initiative or referendum, and that it should be difficult for the legislature to overturn or amend a measure passed by direct legislation.

(Consensus, November 1977)

## HISTORY

At its 1975 state convention, the League began gearing up for the 1978 Constitutional Convention (Con Con) by adopting a resolution on program priorities which called for widening the areas of study under the national Representative Government position, to include those items that might be considered for the constitutional convention. Study was initiated on initiative and referendum and on unicameralism; and a position was reached in support of direct initiative and petition referendum.

The League lobbied for initiative and referendum at the 1978 Con Con. We participated with other community organizations in a petition drive for the initiative, and appeared on a television panel and radio talk show on the subject. When it became obvious that direct initiative would not carry, the League gave its support to indirect initiative. However, the Con Con voted by a small margin not to put initiative and referendum on the ballot.

During succeeding legislative sessions, the League has continued to urge the legislature to place an initiative measure on the ballot. When it became clear that direct initiative had no chance, we gave our support to a Common Cause proposal for indirect initiative. However, it has always failed to pass in one house or the other.

In 1983 the League started to work with a coalition, The Initiative Committee, whose goal was the placing of an initiative measure on the ballot. As yet our efforts have not been successful.



In 1985 the worst of several initiative bills under consideration was killed in the Senate Judiciary Committee by initiative supporters who felt it would be worse than nothing.

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Facts and Issues: Initiative and Referendum. League of Women Voters of Hawaii 1977

# **Judicial Independence**

## **Position in Brief**

The League of Women Voters of Hawaii finds that judicial independence is necessary for the Hawaii State Judiciary to operate as a co-equal third branch of government including preservation of individual constitutional rights, fair and impartial adjudication of legal disputes, and fair and timely criminal prosecutions.

## **Position**

The League believes that judicial independence is essential for the State Judiciary to exercise the powers given it by our State Constitution to uphold the principles of a democratic society based on the rule of law, and to maintain the balance of power among the three branches of government.

We believe that it is essential for all individuals and groups to be able to have confidence in a judicial system which is uncompromisingly committed to justice and liberty for all. Every litigant in a civil case or a defendant in a criminal case needs to know that his or her case will be heard by a judge whose loyalty is to the law, and whose integrity will not be compromised by political or popular pressures.

The League's role will be:

1. to educate the public on the structure and function of the State Judiciary,
2. to educate and advocate for any needed reforms that are consistent with our positions,
3. to educate the public on judicial independence and its importance, and
4. to identify and initiate public discourse on any threats to the independence of our courts.

Adopted November 15, 2003

# Juvenile Justice

## Position in Brief

Action to support a juvenile justice system which provides for the protection of society along with the rehabilitation of juvenile law violators.

Action to encourage a greater acceptance by the schools of responsibility in the area of crime prevention.

Action to support the concept of the Family court as the proper place to deal with troubled youth.

Action to assure consistency in the juvenile justice system, while retaining the ability of the Family Court to take into consideration the age, level of maturity, and needs of each child before the court.

Action to support a waiver to adult court in certain circumstances. Waiver procedures should be based on written guidelines and be applicable only to 16- and 17-year-olds.

Action to assure that the community provides an adequate variety and number of services for children needing such services, and that any secure youth facility meets at least minimum standards for such facilities.

## Position

The purpose of the police, courts, and corrections components of the juvenile justice system are to protect society and to rehabilitate the juvenile law violator. Rehabilitation will sometimes include punishment. Punishment applied to juveniles should be humane, seek to avoid criminalization, promote the juvenile's potential for responsible behavior in relation to family and community, and be applied equally regardless of race, religion, sex, economic or social status. Successful rehabilitation of an individual is a form of prevention, since the rehabilitated individual will not commit crimes in the future. There should be periodic review of dispositions to be sure that treatment is being provided, that it is still necessary, and that there is continuity between agencies.

Ancillary components of the juvenile justice system — schools, social service agencies — must bear the responsibility of being effective in alleviating these youth's problems so that crime is likely to be prevented.

The League of Women Voters of Hawaii emphasizes the great responsibility of the school system to meet the learning needs of all children. From our Family Court observation program, the most significant problems for most of the children appearing before the court were school related, such as high absenteeism, low level of skills, and deep-seated frustration and hostility toward school. Children are required to attend school until the age of eighteen and the schools must accommodate themselves to the wide variety of children they serve. They must act to solve

problems that they see quite early in their students and must assure that basic skills are taught. To these ends, the League of Women Voters of Hawaii supports alternate teaching methods and programs, effective monitoring of attendance, and implementation of the DOE-developed guidance program which suggests techniques for teachers and principals to use in dealing effectively with youngsters at different age levels. We also support provisions for adequate counseling services in the schools.

The League supports the concept of the Family Court and its premise that society should take the opportunity to guide youth while they are still malleable and not stigmatize youth with criminal labels. Thus, we would separate the very young from the adult systems and, at the same time, take pains to treat the problems of these youth. The League supports harsher sanctions for older youth who continue to break the law, especially in ways physically harmful to other people.

The League of Women Voters of Hawaii supports consistency in the full juvenile justice system, while still retaining the ability of the Family Court to consider the age, level of maturity, and individual problems of each child. Both society and the law violator should know what to expect from the juvenile justice system.

Police, probation officers, corrections officers, and judges should operate under general guidelines designed to give equitable treatment to all youth and to give consistent treatment to the single youth who encounters different people in the juvenile justice system. The principle of consistency requires good record-keeping, communication, and follow-up between all agencies dealing with a youth — including schools and social service agencies as well as police, courts, and corrections. Whatever consequences a youth must face, the consequences must be administered swiftly and surely. It is unreasonable to claim to be teaching responsibility to a young person while reacting to his offense in a ponderous or inconsistent manner.

Sentencing should be generally proportionate to the crime. There should be distinctions between those who commit violent crimes, repeat offenders, and other children who appear before the court.

The League of Women Voters of Hawaii supports a waiver procedure, based on written guidelines, and only for 16- and 17-year-olds. This means we oppose automatic waiver and support the Kent guidelines, which require the judge to consider the following factors:

- The seriousness of the alleged offense
- Whether the alleged offense was committed in an aggressive, violent, premeditated, or willful manner
- Whether the alleged offense was against persons or property and what personal injury resulted
- Whether the minor's accomplices were adults, and if so, whether it would be desirable to try them together in one court
- The youth's history with the juvenile justice system
- Prospects for adequate public protection and likelihood of reasonable rehabilitation through the means available to the Family Court

The League of Women Voters of Hawaii supports the provisions of an adequate variety and number of services in the community to rehabilitate offenders and assist children whose behavior suggest problems that might lead to crimes.

We expect increasingly serious consequences for the youth that does not respond to treatment. Hand in hand with that expectation must be a wide range of appropriate services to treat the youth, since, of course, he cannot respond to treatment that does not exist. Hawaii currently has an insufficient supply of services; the League's first priorities include support of the simultaneous development of such services and the immediate conversion of the Hawaii Youth Correctional Facility (HYCF) from a holding place into a treatment program.

Hawaii Youth Correctional Facility does not meet minimum standards for a secure facility. We are particularly concerned about the inadequacy of educational and social services. The secure facilities for those juveniles requiring incarceration should meet these minimum standards:

1. Assure the rights of youth including:
  - Due process
  - Personal possessions
  - Privacy
  - Freedom of and from religion
  - Right to personal communications
  - Limitations and procedural requirements for discipline
  - Grievance and appeal mechanisms
  - Periodical review of placement
  - Bodily safety
2. Assure the quality of rehabilitation programs, including:
  - Initial physical, mental, psychological evaluation
  - Recreation and exercise
  - Medical and dental care
  - Education for individual needs
  - Vocational training
  - Psychiatric and psychological services
  - Work-release and school-release programs
  - Follow-up after release
  - Additional help for youths at the crucial point when they leave institutional life and reenter society
3. Assure the effectiveness of the facilities' staff, including:
  - Ratio of staff to youth
  - Qualifications
  - Supervision
  - Accountability
4. Assure that hard-core juvenile offenders are not locked up with other youths. In addition to the statewide League consensus, the Kauai League has arrived at a position that would support the use of a Kauai juvenile counselor for status offenders. The Hawaii County League has arrived at a position to support a secure facility on the island of Hawaii; this would eliminate the practice of sending youths from Hawaii to Oahu for lockup.

(Consensus, February 1981)

## History

During 1978 and 1979 several factors worked together to stimulate interest in and support for a League study of Hawaii's juvenile justice system:

1. Public opinion pools and the league Education Fund's Con Con project showed crime to be of major concern to the community. Statistics indicate that juveniles are a significant percentage of Hawaii's criminal statistics
2. Member interest in the courts was stimulated by the League's participation in the Hawaii Crime Commission's pilot court observer program
3. The League was offered the rare opportunity to place trained observers in the Family Court, which is not open to the general public

The state convention, in May 1979, featured an introduction to the various components of the juvenile justice system, and the delegates voted to adopt a study of the Hawaii juvenile justice system, focusing on law violators.

One year and a half of observing, interviewing, workshops, public forums, committee meetings, reading unit discussions, and Voter articles culminated in an extensive League consensus on juvenile justice in February 1981.

During this same time two booklets, Under Eighteen and Under Arrest – A Look at Hawaii's Juvenile Justice System, and Under Eighteen and under Arrest – Rights of Juveniles, were prepared and distributed to law enforcement officers, juvenile justice system workers, schools, libraries, and interested community groups. A third booklet, Under Eighteen and Under Arrest: Step-by-Step from Apprehension to Disposition in Family Court, explains the juvenile justice system for juveniles and their families. A slide presentation and Teacher's Guide accompany the booklet. It is used by the Family Court as part of its orientation program, and in schools on the 8th to 10th grade levels.

A fourth publication, League Looks at Lockup (not part of the educational series), is a study of conditions at the Hawaii Youth Correctional Facility (HYCF) with recommendations for reform.

Legislative action in the years following adoption of the position has focused on opposition to the automatic waiver of certain juveniles to adult court and on efforts to improve HYCF. Because of our commitment and expertise, the League was named as a participant in a committee set up by the Legislature to look at the feasibility of a 12-month school at the HYCF, and on a steering committee working on an interagency program for HYCF.

The future offers to be interesting as action is taken in the community on various aspects of the juvenile justice system. The positions within the consensus reached in 1981 provide a sound base for continuing action as long as the League retains juvenile justice as a program item.

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Under Eighteen and Under Arrest: A Look at Hawaii's Juvenile Justice System. League of Women Voters of Hawaii Education Fund, November 1980.

Under Eighteen and Under Arrest: Rights of Juveniles. League of Women Voters of Hawaii Education Fund, April 1981.

Under Eighteen and Under Arrest: Step-by-Step from Apprehension to Disposition in Family Court. League of Women Voters of Hawaii Education Fund, 1983.

League Looks at Lock-up. League of Women Voters of Hawaii, May 1981.

## NATURAL RESOURCES

- Nationally, League members have built over the last 30 years a sequence of broad positions on Water, Air, Waste Management, Land Use, and Energy. The commitment to protect our environment is embodied in the national statement of our intent to “promote an environment beneficial to life through the protection and wise management of natural resources in the public interest.” While working on the national positions at the state level the League of Women Voters of Hawaii has also studied and reached positions on natural resources issues of particular concern in our state. (National positions are outlined in Impact on Issue.)

## Land Use

### POSITION IN BRIEF

Action to support comprehensive planning as the basis for land use decisions; public input into the planning process; a device to insure coordination and cooperation between state and county planning; and strict controls on the use of conservation land.

### POSITION

- A. Land use decisions should be based on comprehensive planning.
  1. Government should decide on consistent and coordinated policies to guide Hawaii’s development. Joint policy decisions are needed in areas of:
    - a. Controlled growth
    - b. Controlled new urban centers
    - c. Open space
    - d. Amount of land needed between 5-year reviews taking into account population density and the likelihood of urban-zoned land being used for urban within that time.
  2. Citizens should have opportunities for public input into the planning process at all stages and levels of decision-making.
  3. Hawaii needs a device to insure coordination and cooperation between the counties and the state in planning and plan implementation. The counties should have responsibility for detailed planning and control of land uses. The state should provide the broad, overall view, guidelines to reconcile goals of the counties, and restraints on overlypermissive county action.

(Note that our position neither precludes nor recommends changes in the present structure, for example, to recommend abolishing the Land Use Commission. We are concerned about a clear definition of responsibilities between the state and counties, however. The League does not feel that the state should control planning within counties, but we recognize that the counties must strengthen their own planning and take responsibility for aggressive of county plans. Under the present system, easy and all too common.)\* the implementation buck-passing is all too



- B. Following are important considerations in designing land for urban use:
1. Comprehensive planning
  2. State and county policies
  3. The environment: physical characteristics, hazards
  4. Agriculture
  5. Control of speculation or at least not contributing to it
  6. Economic/financial impacts: public services needed, impact on jobs and business
  7. Social impact: life style, effects of changing job base
  8. Achieving balance

(Basically, the considerations listed above are part of the planning process. What we do not have is a set of criteria for weighing these against each other in specific land use decisions. We have not taken consensus on League goals for land use in Hawaii. However, on the basis of our varied concerns for the environment, jobs, and housing, we can call for balance. We could also address specific land use changes, but only following careful study of the proposed change, its probable impact and an analysis of its appropriateness to the specific piece of land.)

- C.
1. Certain lands should be identified and set apart for the purposes of true preservation

(Examples are wildlife preserves, bird refuges, natural areas for the purpose of preserving representative ecotypes, scenic and historic sites, critical watershed areas, and wilderness areas. Note that these areas would not necessarily be in the conservation district.) *\*The parenthetical statements are not part of the adopted position statements, but have been printed to provide additional guidance in using the position.*

2. Conservation lands should not be subject to drastic changes. There should be strict controls on land uses in the conservation districts in order to preserve the terrain and character of the surrounding areas and to protect the natural resources directed piece of land, Whatever agency of performance zoning use of land. Clear regulations (We did not reach consensus on what specific uses should be permitted in the conservation district. Testimony should be toward the effect of a particular use on a particular taking into consideration the controls imposed. permits a variety of uses must abide by a set regulations to guide and control the are also necessary in the interest of fairness to the property owner.)
3. Counties should participate in decisions about land uses in the conservation district.

(No specific method or degree of participation was defined. The League will support requiring the county's recommendations on uses in the conservation district. Other proposals will be evaluated as they arise.)

## HISTORY

The item grew out of an earlier study of the environment and how to regulate man's use of it adopted in 1969. It soon became evident to League members interested in the environment that

land use patterns influence the location and extent of air and water pollution, solid waste disposal, urban blight, traffic snarls, and other problems.

In June 1971 the state convention adopted a Study of Land Use in Hawaii. The emphasis was on the governmental framework for land use regulations, especially the role of the state Land Use Commission. Our position was reached in January 1973, in time to testify on land use bills during the legislative session.

The League was highly visible in the land use arena from 1973 to 1975. We tried to promote public understanding of, and participation in, land use decision making via our speaker's bureau, publications, and in cooperation with other interested groups.

We also presented our position to the state Environmental Quality Council and the Temporary Commission on Environmental Planning. We testified on the Land Use Commission's rules and regulations and on a series of abortive attempts to tighten regulations controlling land uses in conservation districts. Legislative action focused on our position that land use decisions should be based on comprehensive planning. We lobbied consistently for a statewide planning bill and participated on a task force which drafted a planning bill for consideration. The state board has not used this position to address specific land use changes.

In 1976 the Legislature passed a bill requiring the Department of Planning and Economic Development to prepare a state plan. The bill also established a policy council composed of state and county officials to advise in this effort. The League's comments on the plan during its preparation, and later at the legislature, expressed our concern that the plan failed to establish clear priorities or provide clear guidance for the Land Use Commission. The legislature adopted the Hawaii State Plan in 1978 and directed the administration to prepare functional plans for transportation, tourism, agriculture, housing, etc., to provide further specificity.

League members have served on several of the advisory committees established to help in preparation and periodic review of each functional plan. The functional plans were adopted by the Legislature in 1984 and 1985.

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Facts and Issues: Conservation and Hawaii's Conservation Districts. League of Women Voters of Hawaii, August 1972

Facts and Issues: The Hawaii Land Use Law. League of Women Voters of Hawaii, November 1971

State Planning in Hawaii: A Premier. League of Women Voters of Hawaii, August 1972 (revised 1975)

Statement to the Environmental Quality Commission. January 25, 1973. This statement incorporates background information from our study and is the basis for all future testimony.

# Legalized Gambling in Hawaii

## POSITION IN BRIEF

Oppose legalization of any form of gambling in Hawaii, with the exception of social gambling (gambling in which the house does not take a cut).

## POSITION

The League of Women Voters of Hawaii believes that legalized gambling -- with the exception of social gambling (i.e. gambling in which the house does not take a cut) -is not an acceptable method of raising revenues or of stimulating economic development. League is convinced that the economic and social interests of Hawaii residents are not served by establishing a business in which government plays an active role, bears unknown costs, and places some of its residents at high personal risk.

League recognizes that under the Indian Gaming Regulatory Act of 1998, if the State were to approve any form of gambling, it would open up Hawaii to Native American or Hawaiian sovereignty casinos. League also believes that opening Hawaii to Native American or Sovereign Hawaiian gambling ventures threatens the State's authority and the fair application of existing laws.

## HISTORY

Following a boom period of government revenue surpluses in the seventies and eighties, Hawaii's economy took a severe downturn, and over the years, bills legalizing various forms of gambling as a needed source of revenue appeared before the Legislature with increasing frequency. League did not participate in the public debate on this issue.

League's interest in the gambling question began in 1995 with a Hawaii County League study. Examination of gambling-enabling bills and the discussions they generated revealed a paucity of reliable information. Projections were large; estimates of costs to government were hazy or nonexistent.

The gambling issue was on the 1995 Hawaii State Convention agenda as a non-recommended item, but delegates to the convention supported Hawaii County League's initiative and voted to adopt it as a study. Hawaii County League offered to continue the study it had already begun, reviewing both current statewide and national information along with documents from the seven other state Leagues which had studied legalized gambling. In July, 1977, Hawaii League members received the completed study and the consensus questionnaire, and the resultant consensus opposing legalized gambling was adopted by the State Board as a position in mid-October, 1997.

(Consensus, October 1997).

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Facts & Issues - Should Hawaii Legalize Gambling? A study by League of Women Voters of Hawaii, June 1997

# Legislative Reform

## POSITION IN BRIEF

Action to support a part-time citizen legislature whose structure and procedures will insure responsiveness, openness and efficiency in government. Support a split session, procedures to eliminate duplication of bills, and to limit the number of bills introduced.

## POSITION

The League of Women Voters of Hawaii believes that changes in our present legislative structure are necessary to insure more responsiveness, openness, and efficiency in government. We favor a part-time citizen legislature, meeting in split session to permit a recess after bills are introduced, so that legislators and constituents may have time to consider and study the proposed legislation. We support procedures which would eliminate the duplication of bills and limit the number of bills introduced in a session.

(Consensus, Spring 1977)  
Amended by State Convention, May 1981)

## HISTORY

Following the 1975 state convention, the state board authorized the study of unicameralism and other legislative issues. The League did not reach agreement to support a unicameral legislature, but there was agreement on other improvements in legislative machinery,

A split legislative session, which the League position supported, was recommended by the 1978 Con Con, ratified by the voters, and put into effect during the 1979 legislative session.

Since adoption of the Legislative Reform position, the League has annually joined with several other citizen lobby groups to address problems in the legislative process, and the excessive number of bills and resolutions.

In 1984 the League supported two constitutional amendments: one to permit more flexibility in setting deadlines for bill introduction; and the other to authorize lawmakers to take two or more short recesses during the session. The first passed; the second did not.

In 1988 and 1989 the League turned its attention to the need to improve neighbor island access to the legislative process. Our efforts contributed to creation of the Fair Access Commission that held hearings around the state and made recommendations for improved access to state government.

The League is also a member of the Coalition on Legislative Reform that seeks to improve the legislative process and reduce barriers in citizen involvement. The legislative leadership has responded to these efforts by providing computer access, toll-free telephone, fax facilities for testimony, increased print shop hours, and public access room at the capitol.

In addition, the legislative timetable was altered by instituting an earlier bill introduction deadline, expanding the use of recess days, adjusting the decking deadlines, and increasing year-round legislative staffing. These and other measures were undertaken to allow the public earlier access to the legislative process.

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Unicameralism and other Legislative Reforms. League of Women Voters of Hawaii, 1976

# Merit Selection of Judges and Justices

## Position in Brief

The League of Women Voters supports the merit selection of judges through a process which is as free of political influence as possible, encourages a fair representation of gender and Hawaii's diversity of ethnic cultures, and discourages the domination of judges of one extreme ideology or another.

## Position

While our federal and state constitutions guarantees certain rights to all those accused of criminal wrongdoing, or who appear before civil courts to settle some dispute, these rights can only be recognized and preserved by a justice system which is impartial and fair, free of political influence or pressure and intimidation by outside groups.

The League believes that the merit selection of judges is the best system to achieve that end. Such a system should:

1. Include an independent, nonpartisan commission which does the initial screening of applicants for a judgeship with
  - a. commissioners appointed by more than one or two appointing authorities to ensure diversity of experiences and viewpoints,
  - b. terms long enough for commissioners to acquire the knowledge and develop those skills necessary to meet their responsibilities yet not too long for cronyism to set in,
  - c. staggered terms to preserve the institutional memory necessary for the application of lessons learned and for the experienced members to help in the orientation of the newer commissioners,
  - d. the release of names of nominees for appointment by the appointing authority at the same time that the names are sent to the appointing authority, in order to incorporate transparency into the system,
2. Provide clear criteria for the evaluation of candidates, and
3. Include accountability built into the system through:
  - a. access to appellate review of judgements on cases by plaintiffs and defendants,
  - b. periodic performance reviews of judges and justices by an independent body,
  - c. careful reviews of performance records and solicitations of public comments prior to decisions on retention for additional terms by the body charged with the responsibility, and
  - d. the establishment of a judicial conduct committee or commission to investigate charges of misconduct in office, unethical behavior, and willful neglect of the responsibilities of office.

Adopted November 15, 2003

# Midterm Legislative Vacancies

## POSITION IN BRIEF

Action to support filling midterm legislative vacancies by appointment, with an individual of the same political party as the person vacating, within a specified and reasonable time period.

## POSITION

The League of Women Voters of Hawaii believes that midterm legislative vacancies should be filled by an appointment process. Because House terms run for two years, all midterm House vacancies should be filled by appointment. Because Senate terms run for four years, any vacancy during the last two years should be filled by appointment. If a Senate seat becomes vacant during the first two years, it should be filled temporarily by appointment, and a special election should be held at the time of the next general election to fill the remaining two years.

We believe that time is a very important factor in the filling of midterm legislative vacancies, especially because our legislature only meets for annual 60-day sessions. Therefore, we believe our laws should specify a definite and reasonable time period for making an appointment.

We also believe that the political party ratio in the legislature, determined at the last general election, should be maintained. Therefore the person appointed to fill a vacancy should be of the same political party as the vacating legislator.

(Consensus, January 1989)

## HISTORY

The 1987 state convention adopted a study on ways to fill midterm legislative vacancies. The issue was of real concern to League members, because by the time the 1987 legislature closed, the governor had filled seven midterm vacancies by appointment. Little did we know then that the 1988 legislature would include three additional midterm gubernatorial appointees.

In 1988, therefore, ten (13%) of the 76 legislators serving in the state legislature were not elected to their seats by the voters of their districts. As provided by state law each one was appointed by the governor from the same political party as the vacating legislator.

As a result of the large number of appointments during a relatively short period of time, the fundamental power of Hawaii's citizens to select their own legislators surfaced as a critical issue. A major question that arose was whether seats vacated in midterm should be filled by special election or whether a method of appointment was appropriate. Concern among legislators themselves prompted the introduction of five bills in 1987 and 1988 proposing changes to the method of filling midterm legislative vacancies. None of the bills became law.

In the summer of 1988, the League of Women Voters of Hawaii issued a publication. Filling Midterm Legislative Vacancies in Hawaii, Issues and Analysis, which looked at the pros and



cons of various methods of filling vacancies. Consensus meetings held during the fall of 1988 indicated clear agreement on most aspects of the issue but no clear agreement on one specific aspect.

There was overwhelming consensus that midterm legislative vacancies should be filled by appointment. Members felt strongly that the time period for making the appointment should be specified by law. Suggestions ranged from 10 to 30 days after a vacancy occurs, reflecting members' sense of urgency. At this time our laws do not specify a time limit.

Maintaining political party ratio, as determined by the previous general election, was also very important to the members. At this time the law does require the governor to appoint an individual of the same political party as the vacating legislator.

In coming to the conclusion that an appointive method is preferred over special elections, members felt that while cost should be taken into consideration, it is not the most important factor. Filling a vacancy quickly is a higher priority. In addition, while it would be desirable to have legislative seats filled by elected representatives at all times, the prompt filling of the vacancy is more important.

No clear consensus was reached on who should do the appointing. Three different methods were suggested:

1. Appointment by the governor from a list submitted by a political organization (either the party or the party caucus in the legislature)
2. Appointment by the legislators of the same party
3. Appointment by the county council governing the legislator's district, or if the seat is split between two counties, the seat should be filled by the county council where the vacating member resided

A common theme of agreement running through these various suggestions is that the appointment process should not be vested in a sole individual.

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[Filling Midterm Legislative Vacancies in Hawaii, Issues and Analysis.](#) League of Women Voters of Hawaii, August 1988

# **SCHOOL BOARD PRIMARY ELECTIONS**

## POSITION IN BRIEF

Action to support a nonpartisan primary election for the Board of Education

## POSITION

The League of Women Voters of Hawaii finds that many voters are confused by Board of Education elections. This is in part because of the large number of candidates running for the board, which makes it difficult for voters to make an informed choice.

Since 1980 members of the Board of Education have been elected on a nonpartisan basis at the general election in November. The League of Women Voters of Hawaii supports holding a nonpartisan primary election for school board candidates prior to the general election. This pre-selection process would reduce the number of candidates running in the general election to a more manageable number, thus enabling the public to learn more about their qualifications and positions on educational issues.

The League believes that the need to improve the process of selecting those who are responsible for guiding public education outweighs the additional cost of a school board primary.

## HISTORY

In 1978 the voters approved constitutional convention proposals establishing new Board of Education election districts, making school board elections nonpartisan, and eliminating the school board primary. Subsequently, there was a significant increase in the number of candidates running for the board. The League, as an organization dedicated to an informed electorate, became concerned about the public confusion over school board elections and the lack of coverage of the candidates. This concern was heightened by the League's firsthand experience with the difficulties of trying to provide voter information for such a large number of candidates in a short period of time.

In 1987 the state convention approved a study of primary elections which was to address two questions: 1) whether there should be a primary election for the nonpartisan state school board; and 2) whether there should be presidential primaries in Hawaii. No consensus was reached with regard to a presidential primary, but in February 1988 the Board announced a League position in support of a nonpartisan primary election for the Board of Education.

Bills proposing a primary election for the Board of Education were under consideration during the 1988 legislative session, so action on our new position began immediately. A bill was approved by the 1990 legislature, and there was a primary election for school board candidates that fall.

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Primary Elections in Hawaii? Board of Education? Presidential Primary? League of Women Voters of Hawaii, 1987

# Separation of Powers

## Position in Brief

The League of Women Voters supports Constitutional separation of powers between the executive, legislative and judicial branches of government including appropriate checks and balances.

## Position

The Framers of the United States Constitution provided for three branches of government: Executive (President), legislative (Congress) and judicial (U.S. Supreme Court). Each branch has unique powers that cannot be exercised by either of the other two branches. However, each branch through its powers provides checks and balances on the other two branches. For example, the U.S. Supreme Court can rule on the constitutionality of Congressional legislation, the President can veto Congressional legislation, Congress can override a Presidential veto, and so on. It is through the separation of powers with concomitant checks and balances that the United States is able to maintain its stable form of democracy.

States, such as Hawaii, have adopted this tripartite, Constitutional form of government, but vigilance is required of an educated public to ensure its viability.

Adopted November 15, 2003

# Solid Waste

POSITION IN BRIEF Action to support recycling and resource recovery by private industry, with cooperation and support from government. Action to support requiring a deposit on beer and soft drink containers.

## POSITION

The League of Women Voters of Hawaii:

1. Approves the state establishment of standards and criteria as well as rules and regulations for the disposal of solid waste
2. Considers the following disposal methods as acceptable options in Hawaii: landfill compacted and covered daily, incineration, preferably with energy recovery, composting, recycling
3. Advocates the establishment by both county and state governments of definite policies and programs to encourage recycling and resource recovery
4. Recommends that Hawaii give priority attention to market development and energy recovery
5. Contends it is in the interest of state and county government to share with private industry the responsibility for increasing the demand for secondary materials
6. Believes that development of recycling facilities should be a three-way responsibility shared primarily by the state with industry, then county, respectfully, contributing to a lesser degree
7. Holds that private industry should be responsible for operating the recycling facilities
8. Recommends that recycling facilities be financed with combined private capital and government revenues
9. Would support the following types of activity if government were to take measures to reduce the generation of municipal solid waste requiring disposal sites:
  - a. Imposition of a fee on new or imported automobiles to help defray disposal costs of the car when junked material
  - b. A prohibition of the sale of beer and soft drinks in nonreturnable containers. The separation (at the source) of household and urban wastes to facilitate recycling and to attract secondary dealers bottles
  - c. A state law requiring a deposit on beer and soft drink and/or cans

Consensus, May 1973

# State Constitution

## POSITION IN BRIEF

Action to support a constitution which sets forth the basic law; provides the framework of government; is of a lasting nature, yet flexible; and is clearly written and understandable.

## POSITION

The League of Women Voters of Hawaii believes that the constitution for the State of Hawaii is the basic law, a statement of the general rules within which sound laws can be adopted to meet the changing social and economic conditions.

The state constitution should be of a lasting nature and yet be flexible enough to meet future needs of the state. The enumerated powers and limitations should not unduly restrict, but should permit the state government to use its powers to govern and serve the needs of the people.

The constitution should be the framework that sets forth the structure of government, clearly states the major limitations placed upon government, and preserves rights to the people. It should include, but not be limited to, provisions that:

1. State the principles regarding the nature and purpose of the state government
2. State the rights preserved for all persons of the state
3. Provide for suffrage and elections
4. Outline the major branches of government
5. Grant each constitutional office the powers necessary to govern
6. Limit the powers of the government in those areas where the people wish to reserve the authority to themselves as the electorate
7. Provide for fiscal responsibility in budgeting procedures
8. Define the powers of local government
9. Provide for the establishment of standards of ethics for state employees and officers, including elected officials
10. Provide for amendment, review, and revision
11. Provide for fair and adequate representation and periodic reapportionment

The language of the constitution should be understandable to the general public and its organization should be clear and logical. Words should be carefully chosen to insure that the constitution does not contain any ambiguities, or vague and confusing terms. Excessive detail, repetition, and restrictive provisions should be avoided.

(Concurrence, September 1978)

## HISTORY

At its 1974 state convention, the League began looking ahead to the 1978 Constitutional Convention by adopting a program which would allow us to address issues such as unicameralism, initiative, and referendum. During 1977, as discussion of Con Con issues began,

it became clear that there was a lack of public awareness and agreement about the nature of the state constitution and how much detail it should include. In Spring 1978 the state board decided that the League needed a broader basis than positions on specific issues, in order to decide whether or not to recommend voter ratification of the revised constitution. A committee was formed to prepare background information and a proposed position dealing with the purpose and nature of our constitution. It was presented to the membership and adopted by concurrence.

The position on Hawaii's constitution was reached too late to influence the Con Con's deliberations. However, we did oppose a proposed constitutional amendment requiring a study of Hawaiian history, based on the position that the constitution should not include this kind of detail. The position was also used to evaluate proposed constitutional amendments relating to the legislative process. (See History: Legislative Reform position.)

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Hawaii's State Constitution: What Should It Contain? League of Women Voters of Hawaii,  
July 1978

# **Position paper on Violence Prevention**

## POSITION IN BRIEF

Support violence prevention programs in all communities.

## POSITION

The League of Women Voters of the United States supports violence prevention programs in all communities and action to support:

1. public and private development and coordination of programs that emphasize the prevention of violence
2. active role of government and social institutions in preventing violent behavior
3. allocation of public moneys in government programs to prevent violence

## HISTORY

Delegates to the 1994 LWWUS convention adopted the position on Violence Prevention by concurrence. It is based on work done by a number of state and local Leagues. The League endorsed the Violence Against Women Act, which passed Congress and was signed by the President in September as part of a comprehensive crime bill.

Taken from the LWWUS National Program

## SUMMARY OF LEAGUE POSITION ON DOMESTIC VIOLENCE

Domestic Violence is a crime in the same way that violence against any member of the community is a crime and should be treated as such. League of Women Voters supports a coordinated community response to domestic violence and sexual assault that emphasizes victim safety, perpetrator accountability and prevention education.

## BACKGROUND HISTORY

Recognizing that violence against women and children is widespread in Hawaii as in the rest of the country, League has put its efforts into studying the problem of domestic violence and presenting public forums to educate our members and the community.

In 1993 League held its first general membership meeting on family violence. In 1994 the National League convention adopted a position on Violence Prevention by concurrence. In implementing the National Position, League held its general membership meetings with public forums, in 1995 ("Discussion on Violence"), 1996 ("Presentation of Court Monitoring Project"), and 1997, ("A Coordinated Community Response").

In January 1995, League began to serve on the Women's Legislative Coalition and supported the flagship bill, SB 2151, Relating to the Prevention of Physical and Sexual Violence, which



recommended a public-private partnership be established to begin a school-based violence prevention project.

In September 1996, League, and the Hawaii State Commission on the Status of Women issued a report on its study of the handling of misdemeanor spouse abuse cases in family court. The study revealed that many perpetrators of family violence received little or no jail time or other punishment for their crime. The study spurred public discussion about the prosecution and adjudication of domestic violence cases.

In June 1998, League produced its second major report on domestic violence. This report, Victim Safety in Hawaii, takes a broader look at the problem, describing the current state of services for women and children, who are victims of abuse, the agencies that supply these services, and the resulting response to domestic violence in our community.

## LEAGUE POSITION ON DOMESTIC VIOLENCE

Domestic violence is a crime against the community, not a private domestic squabble. It requires a comprehensive coordinated intervention system in which public and private agencies including the police, probation officers, the courts, health care providers, victim advocates, and batterers treatment providers hold the offender accountable and offer support and protection to his victims.

Hawaii needs a coordinated community response to address the issue of domestic abuse. If the police arrest offenders who are not or cannot be held accountable for their actions, women are endangered by the arrest. If women take the courageous and dangerous step of fleeing from abuse and no shelter is available they are further endangered. Many of Hawaii's agencies can provide only the most basic services. League supports a coordinated community response in which the public and private agencies work together for these common goals:

1. to identify and respond immediately to every victim in the family with sensitive and skilled assistance provided by trained professional or lay advocates.
2. to protect and empower women so that they in turn can protect their children
3. to make it safe for women and children to seek help with services designated to prevent further abuse
4. adequate funding for victim services
5. to stop further harm by holding offenders, responsible and accountable for their actions
6. to ensure that every agency in the community adheres to these standards and works cooperatively to achieve them

League does not suggest that there is only one model for a coordinated community response in Hawaii. In our community three things could be done immediately.

1. Re-establish and reaffirm the Ad Hoc Committee for Domestic and Sexual Violence
2. Revise the priorities to place victim safety and early intervention in the domestic violence cycle

3. Create a process whereby the knowledge and experience of advocates and victims can be used to improve services for victims

*Ending Violence Against Women and Children in Massachusetts Families: Critical Steps for the Next Five Years, Susan Schechter, Massachusetts Coalition of Battered Women Service Groups, November 1996, was used as reference informing our goals.*