

**Norman Goldstein MD**

So you think this is a thin issue of the *Journal*? You're right! Medical journals survive (or perish) because of advertisers, society dues allocations, and individual subscriptions. Jack Lewin MD, now Executive Vice President of the California Medical Association, wrote in the January 1996 issue of *California Physician*:  
"Despite excellent performance by staff and editors, and many recent cost-cutting innovations, declines in membership, income, and advertising revenue have generated the challenge we are facing. However, *WJM* (*Western Journal of Medicine*, the CMA's scientific publication) will meet this challenge.

Jack is right on—for the *WJM* and for the *HMJ*. But, we must have more advertisers with more regular monthly ads. The ads in our special issues help, but it is the guaranteed 12 issue ads that will keep the *Journal* going for another 50 years. (We celebrated our 50th anniversary in September 1991 with an issue dedicated to the memory of Harry L. Arnold, Jr, MD.)

You can help. Speak to your drug company representatives and suppliers, your bankers, your car dealers, your friends and associates. Remind them that we have 1,800 copies sent monthly to members of the Hawaii Medical Association, as well as to medical libraries, attorneys and other individual subscribers. A lot of *qualified buyers* read the *Journal* and see the ads—regular, repetitive advertising really does sell products and services.

Then, call or fax our advertising representatives, Lori Arizumi or Janet Scheffer, phone (808) 988-6478, fax (808) 988-2785, with the leads and they will follow through to get the advertisements.

Many of our readers know Jack Lewin MD, former director of the Hawaii Health Department, Maui physician, and candidate for governor. In addition to keeping the 100-year-old *Western Journal of Medicine* afloat, he serves as a health consultant and CMA's Executive Vice-President.

Dr Lewin is, however, incorrect in his *California Physician* column when he says, "Other than the *New England Journal of Medicine*, *WJM* is the only remaining peer-reviewed scientific journal in the United States published by a state medical association."

Jack, there is another—the *Hawaii Medical Journal*. And we will keep it going, with a little help from our friends!

Next month, look for the long-awaited manuscripts by Manino, Ruben, the Holschuhs, and Wilson, dealing with Big Island Vog-associated problems.

**Carl W. Lehman MD**

The American Medical Association has formed the National Coalition of Physicians Against Family Violence to assist state and local societies to address the treatment and prevention of child abuse, sexual assault, spousal abuse, and elder abuse. The HMA Alliance has launched its campaign to Stop America's Violence Everywhere (SAVE).

The HMA's Domestic Violence Committee chaired by Drs Florence Chinn and Shay Bintliff is very active. That committee presented an excellent evening program on domestic violence last year, and proposed a resolution at the HMA Council on December 16 that Council passed. The resolution proposes that the State Legislature adopt a law that would protect children from all forms of physical or mental violence, injury, abuse, neglect or negligent treatment, mistreatment, or exploitation including sexual abuse while in the care of parents, legal guardians, or any other person entrusted with a child's care.

It was further recommended that a commission be appointed to determine a course of action banning corporal punishment, such as spanking, smacking, slapping, etc, in the home and in public settings. The resolution also recommends that the law ensure provision of appropriate services and information programs for future parents and other care-givers to encourage ways of child-rearing that promote dignity, respect, and self-discipline.

Also we recommend that the law provide a state-coordinated parent-training institute to teach parents how to provide a safe, supportive, nurturing environment for all children.

Hawaii presently has many laws to assist in coping with domestic violence. A major problem is implementing and enforcing these laws. According to a report from *Advocacy in Action*, a newsletter from the Domestic Violence Clearinghouse, Hawaii's laws include:

**Mandated arrest.**—Whether or not they witness the offense, police officers on all Hawaiian Islands are required by their departments to arrest when there is "probable cause" to believe abuse of a household member has occurred. State law specifies officers may arrest.

**No drop policy.**—Prosecutors in our state determine when charges will be filed and they will not drop any domestic violence case unless there is insufficient evidence to prosecute. A victim cannot drop the case against an abuser. Domestic violence is a crime against the state.

**24-hour keep-away orders.**—At the scene of a domestic disturbance police may order a perpetrator to stay away for 24 hours—or longer on weekends and holidays. State law says police must arrest if this order is violated.

**Mandatory jail terms.**—Convictions or guilty pleas for abuse of a household member have minimum jail terms mandated by law—48 hours for first offense and 30 days for subsequent offenses. Some Protective Order violations also are classified as misdemeanors and have the same mandatory sentences. The maximum jail term for misdemeanor offenses is one year.

**Protective orders.**—Designed to give victims immediate and long-term relief, victims can be granted 90-day *ex parte*—without a



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hearing—temporary restraining orders (TROs) on petitioning Family or District Court. The TRO can order the perpetrator out of a shared residence and prohibit him or her from contacting, threatening, or abusing the victim.

At an Order to Show Cause (OSC) hearing, held within 15 days after a TRO is granted, temporary child custody and visitation can be decided by the court. The court also can order substance abuse assessments for plaintiffs and/or defendants. At the OSC, the TRO becomes a protective order and can be extended up to three years. Protective orders do not provide financial assistance of any kind.

Protective orders also can be included in divorce actions or issued by a judge as a condition of release.

**Stalking.**—Harassment by repeatedly stalking is a misdemeanor. Stalking once is a petty misdemeanor. Police should be called and a report filed for every offense. If safe and if possible, victims should point out the stalker to others. Stalking is a difficult offense to prove and prosecute unless there are witnesses.

**No interspousal tort immunity.**—A victim now can sue his or her spouse or former spouse for compensation for injuries inflicted.

**Battered spouses may be exempt from mediation in divorce proceedings.**—Although the court prefers mediation in contested divorce actions, it acknowledges when there is violence, mediation may be threatening and dangerous for the victim. The court may excuse a party from participating in any component of any mediation program.

**Firearms restrictions.**—When the TRO is served, the defendant is ordered to surrender firearms and ammunition. Defendants charged with abuse of a household member also must surrender firearms at the time of their arraignment and plea hearing.

**Presumption against batterers in custody awards.**—The court must provide written findings before awarding child custody to a known batterer.

**No marital rape exemption.**—Hawaii's progressive sexual assault statutes address rape as violence and do not exclude persons assaulted by current or former marriage partners.

The AMA Coalition Against Family Violence provides pamphlets on the diagnosis and guidelines for the treatment of child physical abuse and neglect, child sexual abuse, domestic violence, elder abuse and neglect, and mental health effects on family violence, strategies for the treatment and prevention of sexual assault, and a directory of protocols for health care providers on domestic violence.

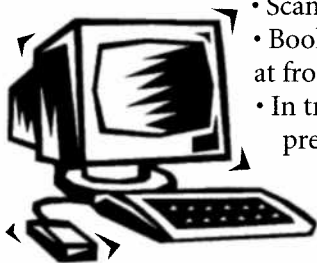
For more information on domestic violence and to join the Coalition, write to Marshall Rosman PhD at the AMA, 515 North State Street, Chicago, Illinois 60610.

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