

LINDA LINGLE  
GOVERNOR



LILLIAN B. KOLLER, ESQ.  
DIRECTOR

HENRY OLIVA  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809

March 25, 2008

MEMORANDUM

TO: Honorable Tommy Waters, Chair  
House Committee on Judiciary

FROM: Lillian B. Koller, Director

SUBJECT: S.B. 2730, S.D.2, H.D.1 - RELATING TO CHILD PROTECTION

Hearing: Tuesday, March 25, 2008, 4:05 p.m.  
Conference Room 325, State Capitol

**PURPOSE:** The purpose of S.B. 2730, S.D. 2, H.D. 1, is to establish a preference for placement of children needing child protective services.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) strongly supports this bill. This bill seeks to acknowledge appropriate relatives, who are willing and able to care for a child, as a preferred placement for a child who is in need of out-of-home care pursuant to chapter 587, Hawaii Revised Statutes (HRS). The proposed change is consistent with national trend, Federal law and child welfare best practices to ensure that children in State's custody are provided with the opportunity to stay within their family, whenever safe and appropriate.

S.B. 2730, S.D. 2, H.D. 1, is a collaborative effort that incorporates the concerns and input from several parties and

AN EQUAL OPPORTUNITY AGENCY

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represents the consensus of many, including but not limited to, the Office of Hawaiian Affairs, Legal Aid Society of Hawaii, American Civil Liberties Union, and the Department of the Attorney General.

Specifying appropriate relatives as a preferred placement does not mean that children who need out-of-home placement will automatically be placed with appropriate relatives. The safety of the child is paramount and consideration of the child's safety is the most important part of any placement decision.

Children under the placement responsibility of the Department can only be placed into homes that meet foster home licensing requirements. The Department has been increasing capacity to provide support services and training to foster parents through our contract with Hui Ho'omaluu. Relatives would have access to all supportive services available for foster parents.

Appropriate relatives are a very special and integral part of the natural support system for a family. Placing a child with appropriate relatives will have positive effects and improve stability for the child. It helps to ensure that, when safe, the child can stay within the family system and sustain family and sibling relationships that support the child's safety, permanence and well-being and connection with family culture and heritage. In addition to simply being family, appropriate relatives often bring other strengths and resources, including additional life experience and maturity that benefit the child.

Thank you for the opportunity to testify on this measure.

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**JUDtestimony**

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**From:** Joy Lacanienta [joy.lacanienta@catholiccharitieshawaii.org]**Sent:** Monday, March 24, 2008 5:00 PM**To:** JUDtestimony**Cc:** [REDACTED]**Subject:** Hawaii State Legislature -- Kinship Preference Bill (SB 2730) March 25, 2008, Tuesday (4:05pm)**Committee on Judiciary**  
**Tommy Waters, Chair****RE:** Hawaii State Legislature -- Kinship Preference Bill (OHA bill--Senate 2730)**Purpose:** To Establish Grandparent/Relatives Preference for Out-Of-Home Placement of Children Needing Child Protective Services.

Dear Chairman Waters:

I'm a Program Director with Catholic Charities Hawai'i (CCH), a non-profit agency that has been providing social services in Hawai'i for over 60 years. CCH is also one of the partner agencies representing Hui Ho'omalū, which is a statewide collaboration composed of various community and faith-based agencies working together in partnership to address the needs of Hawai'i's children in foster care.

Catholic Charities Hawai'i works closely with the Department of Human Services - Child Welfare Services focusing on Child Specific foster/resource families including Special Licensed Relatives (SLR). A great majority of the foster/resource families we serve are grandparents. This is also a reflection of our State, which has a higher percentage of grandparents and relatives raising children compared to the national average.

Kinship connection has been proven to be an important factor for foster children to thrive in their home environment. According to DHS, In 2005 alone, eleven states created or revised provisions of their state law relating to relative placement for abused or neglected children. Allowing grandparents and relatives to be the first priority for out-of-home placement is a culturally sensitive and sound idea that can only bring a stronger support system for Hawai'i's foster children. We would also like to urge you to include the amendments as proposed by DHS to include the following:

- 1) Extending the Ohana preference to Grandparents and Relatives
- 2) Strongly support the identification effort/preference to the upfront work with Child Welfare Services

Again, Catholic Charities Hawai'i strongly support(s) Senate Bill 2730 to give preference to grandparents and relatives for out-of-home placement of children needing child protective services.

Mahalo for your time and service to our community.

Joy Lacanienta  
**CATHOLIC CHARITIES HAWAI'I**  
 Program Director II

3/24/2008

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Statewide Resource Families (SRF) Program

[REDACTED]  
Honolulu, HI. 96822  
[REDACTED]  
[REDACTED]

Mailing Address:

200 N. Vineyard Blvd., Suite 200

Honolulu, HI. 96817

[joy.lacanieta@catholiccharitieshawaii.org](mailto:joy.lacanieta@catholiccharitieshawaii.org)

[www.catholiccharitieshawaii.org](http://www.catholiccharitieshawaii.org)

**Catholic Charities Hawaii. .helping people in need to help themselves, regardless of their faith.**

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March 24, 2008

**TO:** Rep. Tommy Waters  
Committee on Judiciary

**FROM:** Sandra L. Howeth, Maui Supervisor  
Catholic Charities Hawaii Statewide Resource Families Program

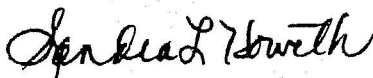
**SUBJECT:** Hearing Notice JUD 03-25-08 Hawaii State Legislature - Kinship  
Preference Bill Measure number (SB 2730, SD2, HD1)

**HEARING:** March 25, 2008, Tuesday 4:05 pm

**PURPOSE:** The purpose of SB 2730 is to permit a child's relatives to participate as a party at certain child protective hearings.

**POSITION:** I strongly support SB 2730 to permit a child's relatives to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.



Sandra L. Howeth  
Maui Supervisor  
Catholic Charities Hawaii Statewide Resource Families Program

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Testimony for: Committee on Judiciary

Date: 3/25/08 Time: 4:05 pm Place: Capitol Building, Rm 325

From: Susan Ogami-Van Camp, EPIC Ohana Connections Program Manager.

I stand by my written testimony in support of Senate Bill 2730. I work at EPIC as the Ohana Connections Program Manager. As part of our program, we work with youth who are about to exit the foster care system due to reaching the age of majority. These youth do not have adoptive parents or legal guardians. They have longed to know their birth family and have often run from their foster homes to find their birth families. Or, they wait until they reach the age of majority to search for their birth families on their own.

I believe that it is important for grandparents and other relatives to participate in child protective hearings and to be given preference for out of home placements of children needing child protective services. Staying connected to birth family gives a person a profound sense of identity and belonging that those of us who have not experienced being disconnected will never fully understand.

I recently helped a young man who was in foster care from the age of 5 years until he reached the age of majority. He lived in 10 foster homes. He told us that he felt "empty and lonely" in foster care. Without knowing his family, he said he had "no self" and felt like a "blank". He said, "Without family, I didn't feel like I existed" and had "nothing to look forward to". He wanted "to find out who he was, why he was in foster care." He appreciated the State of Hawaii for providing money for clothes and food and for finding homes for him; yet he felt "weird and empty. He said he didn't feel loved, just protected."

This young man had lost touch with all of his family members. He wanted to know where his family so he could learn why he entered the system. We helped him find his family, and he told us, "Until I found them, I wanted to be alone. It was hard growing up not knowing them. He told us, "It's important to know your family and keep connections so you can turn to them in case you need support. It helps as you grow older so someone can look out for you in case a disaster happens."

When this youth met his family after so many years of not knowing where they were, he felt excited and also anxious. He didn't know how to behave with them, what they expected from him. In his words, he said "Finding them is easy. Bonding is harder. You have to know what to say, when to say it, and know what and when to do it."

From the relatives' side, they were angry when I spoke with them. They felt that there were barriers to stay involved with their young family member. After connecting with him after so many years, it has not been easy for them as they expected him to fit right in and to know how the family interacts.

By hearing the words of someone who has experienced being deprived of this family connection, I hope that you will better understand the importance that being with birth family means to children and will pass this bill on behalf of all children in the foster care system.

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Testimony for: Committee on Judiciary

Date: 3/25/08

Time: 4:05pm

Place: Capitol Building, Rm. 325

From: Wilma Friesema, EPIC Ohana Engagement Specialist

I work at Epic Ohana Conferencing as an Ohana Engagement Specialist. My job is to locate family members for foster youth who are about to age out of the system. The majority of the youth I work with have little or no contact with their biological family and haven't for years. They feel disadvantaged in many ways, yet the pressure on them to "make it" is high. They're like saplings without any roots which are expected to grow into trees. It's a daunting task.

It's also a task that will be made much easier if SB2730 is passed. The involvement of grandparents and other ohana from the very beginning of the foster care process promises to preserve the children's roots, which in turn gives them a sense of security and identity. That solid base, that feeling of belonging, is invaluable to children who have experienced abuse and upheaval.

Grandparents and the extended ohana deserve all the moral and financial support we can give them. Keeping children safe is the highest priority, but we shouldn't stop there. Identifying healthy family members who are able to provide a loving home, is a way to honor and respect the existing attachments the children have with the people in their lives. Inviting the grandparents and extended family to be a party in court hearings is crucial. Just because the parents have failed, doesn't mean the rest of the family has. Staying connected with family, to whatever degree possible, can give these kids the emotional nutrients they need to thrive.

According to a Hawaii CPSS report of 2005, children placed in out of home care over 12 months maintain a higher stability rate with kin than non-kin. In national studies, children living with *family* foster parents score better on physical, cognitive, and skill-based tests than those in non-family foster care. While there will always be those amazing, exceptional youth who make it no matter what, I think it's safe to say, for most of us, it's our roots that have fed our successes.

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## JUDtestimony

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**From:** Jerome Manis [REDACTED]  
**Sent:** Friday, March 21, 2008 3:43 AM  
**To:** JUDtestimony  
**Subject:** Fwd: Testimony for SB2730

### **Subject: Testimony for SB2730**

Kokua Council: Hawaii's Voice for a Better Future  
Testifier: Laura G. Manis

COMMITTEE ON JUDICIARY  
Rep. Tommy Waters, Chair  
Rep. Blake K. Oshiro, Vice Chair

Tuesday, March 25th, 2008                      4:05pm                      Conference Room 325

SB2730 SD2 RELATING TO CHILD PROTECTION. Establishes a grandparent, or other appropriate relative, preference for out-of-home placement of children needing child protective services.

**SUPPORT:**

Kokua Council whose mission includes advocating for the health of the elderly and those vulnerable populations who cannot advocate for themselves supports this bill.

Kokua Council is amazed that grandparents have not been considered before for out-of-home placement for abused and neglected children. Considering how close family ties and 'hanai' parents are esteemed in Hawaii, we are happy to see this gap being considered for closure with the proper investigations and protections in place.

Please support SB 2150 SD2. Thank you for the opportunity to testify in favor of this bill.  
Laura G. Manis, Legislative Chair, Kokua Council  
[REDACTED]

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**TESTIMONY OFFERING SUPPORT ON  
SB2730 SD2 HD1 - RELATING TO CHILD PROTECTION**

March 25, 2008 at 4:05 p.m.

The Legal Aid Society of Hawaii hereby provides testimony to the House Committee on the Judiciary on SB2730 SD2 HD1 - Relating to Child Protection.

The Legal Aid Society of Hawaii is the largest non-profit provider for direct civil legal services in the State. Further, since 1996, we have assisted over 2,000 children as guardian ad litem on Oahu, Kauai, Maui, Hawai'i, Moloka'i and Lāna'i. We also represent parents on Kauai, Maui, Hawai'i, Moloka'i and Lāna'i and have represented kinship caregivers, including grandparents, throughout the state. Of many of the stakeholders involved in this conversation, we are one of the only stakeholders other than DHS who actively participate in all aspects of child welfare cases.

We believe that the current form of this bill is the right compromise that will meet the needs of involving relatives in the child welfare process and also keep in mind the most important part of a child welfare case – the child.

In its current form SB2730 SD2 HD1 will confer a preference to family members in the placement of children during the initial removal of a child from his or her parent, at the same time it will preserve the ability for the court in its discretion to continue custody of a child in a non-relative placement upon termination of parental rights.

In addition, the bill will require the Department of Human Services to make reasonable efforts to identify relatives within six months of a child entering foster custody, and report to the court in DHS' safe family home reports on their efforts to identify relatives. It would also require DHS to send an application to any relatives inquiring about becoming a foster parent within fifteen days and provide written notice if the relative is denied stating the reason for denial as well as information regarding the administrative process.

Thank you for this opportunity to testify.

Sincerely,

Nalani Fujimori  
Deputy Director



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**JUDtestimony**

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**From:** Jacqueline T, Chong [REDACTED]  
**Sent:** Thursday, March 20, 2008 5:19 PM  
**To:** JUDtestimony  
**Subject:** Fw: Testimony for SB 2730

Please forward:

TO: JUDICIARY COMMITTEE

DATE: March 25, 2008

TIME: 4:05pm

PLACE: Conference Room 325

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**FAVOR**

Judiciary Committee

Tommy Waters, Chair

And Members of the Committee

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**Re: SB2730 SD2HD1**

The Na Tutu supports the intent and purpose of this bill which establishes a grandparent preference for out-of-home placement of children. This is of great concern for grandparents and family members in Hawaii. Ohana, hanai, and aloha, are slowly disappearing from our society. Culturally, minor children have always been cared for by parents and their family members, aunties, uncles, cousins, or close family friends. When a child is taken from this family unit and placed in a temporary out-of-home environment, not only does it cause great stress on the family but greater trauma on the child. It is also **not** unheard of for the child to be adopted without notification and taken from the state, thus losing all touch with their blood related kin.

Na Tutu recognizes that not all grandparents are willing or able to care for a child and recommends that "relatives or someone with close family ties" be included in this bill.

We ask for your support.

Thank you,

Jacqueline T. Chong, Chair

Na Tutu, Grandparents Raising Grandchildren

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3/24/2008

**JUDtestimony**

**From:** C Mulford [REDACTED]  
**Sent:** Monday, March 24, 2008 11:35 AM  
**To:** JUDtestimony  
**Subject:** Testimony SB2730 March 25 4PM RM 325

**SUPPORT**

**COMMITTEE ON JUDICIARY**

Rep. Tommy Waters, Chair  
Rep. Blake K. Oshiro, Vice Chair

Rep. Cindy Evans    Rep. Joseph M. Souki    Rep. Josh Green, M.D.    Rep. Clift Tsuji  
Rep. Ken Ito    Rep. Ryan I. Yamane    Rep. Sylvia Luke    Rep. Kyle T. Yamashita  
Rep. Angus L.K. McKelvey    Rep. Barbara C. Marumoto    Rep. Hermina M. Morita    Rep. Kimberly Marcos  
Pine    Rep. Alex M. Sonson    Rep. Cynthia Thielen

DATE: Tuesday, March 25th, 2008  
TIME: 4:05pm  
PLACE: Conference Room 325  
FAX: 586-9456

**SB 2730, SD2, HD1** - Establishes a grandparent preference for out-of-home placement of children needing child protective services. By giving a preference doesn't mean a child will be placed automatically. A grandparent still must be able to meet foster home licensing requirements

Na Tutu supports the intent and purpose of this bill that establishes a grandparent preference for out-of-home placement of children.

We concur with the amendments adopted.

We appreciate the Hawaii State Legislature for their role in allowing grandparents the ability to sign consent to enroll a child in school, (Act 99, Session Laws of Hawaii, 2003) and medical care (Act 208, Session Laws of Hawaii, 2005.)

I support SB 2730, SD2, HD 1

Yours truly

Carole Mulford, Member  
Na Tutu, Grandparents Raising Grandchildren  
[REDACTED] Kaneohe, HI 96744  
[REDACTED]

How well do you know your celebrity gossip? [Talk celebrity smackdowns here.](#)

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March 24, 2008

The House Committee on Judiciary

The Honorable Tommy Waters, Chair  
Rep. Blake Oshiro, Vice Chair

SUBJECT: WRITTEN TESTIMONY IN SUPPORT OF  
S.B. 2730, SD2, HD1 RELATING TO CHILD PROTECTION

Hearing: Tuesday / March 25, 2008  
4:05p.m.  
Conference Room 325, Hawai'i State Capitol


Aloha e Chairman Waters,

I strongly recommend the passage of S.B. 2730, SD2, HD1

Our foundation provides services to thousands of children and families in Hawai'i. These include foster parents, the homeless on our beaches, and children and their caregivers through our free traveling preschool, Tutu and Me. In providing this myriad of services, all of us on the foundation staff have come to appreciate just how greatly the grandparents of our children contribute to their education, care, and well being.

We have also come to know the great struggles many of these Tutu have gone through to gain custody for their mo'opuna. Our community places great value on the 'ohana, but our courts jealously keep grandparents from having standing in discussions that impact the custody of their grandkids. We are encouraged by the dialog that has taken place since this Bill was introduced, and ask that you stand for the Tutu and families of Hawai'i by passing out S.B. 2730, SD2, HD1.

Mahalo Nui Loa,

Jan E. Hanohano Dill  
President  
Partners in Development Foundation  
  
Honolulu, HI 96817

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March 24, 2008

The House Committee on Judiciary

The Honorable Tommy Waters, Chair  
Rep. Blake Oshiro, Vice Chair

SUBJECT: WRITTEN TESTIMONY IN SUPPORT OF  
S.B. 2730, SD2, HD1 RELATING TO CHILD PROTECTION

Hearing: Tuesday / March 25, 2008  
4:05p.m.  
Conference Room 325, Hawai'i State Capitol

Aloha Chairman Waters,

I strongly support the intent of SB 2730, SD2, HD1.

I am employed by Partners In Development Foundation (PIDF), and in my capacity as Communications Director, I have been intimately involved with programs that work extensively with elderly caregivers, intergenerational preschools, family education, the homeless, and intergenerational mentoring programs. PIDF is a service organization that reaches into areas of need within the native-Hawaiian community.

It does not take much to understand the role of the Grandparent in today's society, especially in Hawai'i where most of our various cultures, value and honor their place in the family. Passage of this Bill will demonstrate the Legislature's recognition of those from whom we came. And, upon whom many of us depend on daily...

The proposed measure does not ask for special consideration, only equal consideration. When their family is in crisis, Grandparents deserve the same opportunity presently afforded non-relatives, for positive intervention toward the well-being of the children of their children This measure will allow them at least... a chance at the opportunity to do so.

Thank you for allowing me to testify in support of SB 2370, SD2, HD1.

Respectfully Submitted,

Billy Richards  
Director of Communications  
Partners In Development Foundation  
[REDACTED]  
Honolulu HI 96817

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## JUDtestimony

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**From:** Jack Keppeler [REDACTED]  
**Sent:** Monday, March 24, 2008 1:22 PM  
**To:** JUDtestimony  
**Cc:** [REDACTED]  
**Subject:** Committee on Judiciary - Hearing on Tuesday, March 25, 2008 @4:05

**Importance:** High

Jack Keppeler  
aka John P. Keppeler, II

Hoa Kūkā  
Partners in Development Foundation

COMMITTEE ON JUDICIARY  
Rep. Tommy Waters, Chair  
Rep. Blake K. Oshiro, Vice Chair

Aloha e Chair Waters and Members,

RE: SB2730, SD2, HD1 (HSCR1190-08) RELATING TO CHILD PROTECTION

My mana'o is that a preference should be mandated by this legislation for the placement of children needing child protective services with the 'ohana, within the kinship group, whenever and wherever possible.

The "best practice", locally and nation-wide, has shown that the most long-term, positive and nurturing relationships have been when kin or near-kin have been involved. Most children hope for family reunification and attempt to effect it upon "aging-out".

I believe that the primary concern of the government should be for the best possible placement for the children and their future. The equality in selection of related and unrelated parties of fostering interest should be a secondary governmental interest. In my view, this interest becomes active only if all efforts to find appropriate kinship placements are not fruitful in a reasonable time.

I urge the adoption of the legislation to mandate a clear preference for 'ohana placement for children in Hawai'i.

Mahalo for this opportunity to give you my thoughts on this measure.

Jack Keppeler  
aka John P. Keppeler, II  
Hoa Kūkā  
Partners in Development Foundation

[REDACTED]  
Honolulu, Hawaii 96819

[REDACTED]  
(808) 841-3373 office  
[REDACTED]

000055

March 24, 2008

TO: Honorable Rep. Tommy Waters, Chair  
Honorable Rep. Blake K. Oshiro, Vice Chair  
Committee on Judiciary

FROM: Aimee Kaalakea, LSW  
[REDACTED]  
Honolulu, HI 96822

SUBJECT: S.B. 2730, SD2, HD1 Relating to Child Protection

Hearing: Tuesday, March 25, 2008, 4:05 p.m.  
Conference Room 325, State Capitol

**PURPOSE:** The purpose of S.B. 2730, SD2, HD1 is to establish a relative preference for out-of-home placement of children needing child protective services.

**POSITION:** I strongly support Senate Bill 2730, SD2, HD1 to give preference to relatives for out-of-home placement of children needing child protective services.

I am a Licensed Social Worker in Hawaii, and have worked both for the Department of Human Services, Child Welfare Services, and for private agencies. Over the past 10 years I have worked with foster children, foster families, and biological families in a variety of different settings. In my work with children displaced from their family home, I have seen how critical it is for these children to maintain family ties. When children are connected to their family and culture, they tend to develop a stronger sense of identity and self-worth. Children who were placed with relatives, including grandparents, may experience more stability, tend to do better in school, and experience greater success as adults. Children who enter foster care have experienced trauma, abuse, and neglect. If the system of care can minimize other changes and sources distress, children will be better able to concentrate on being a child – developing a secure sense of self and establishing their place in the world. Research shows that kinship placement provides more continuity in family relationships and community ties and is less traumatic and disruptive than non-kin foster care.

By establishing a relative preference, we are moving forward in our drive to truly protect children and decrease the trauma they experience. The passage of this bill would only serve to give foster children an opportunity to experience increased stability and to develop a better sense of self and their place in this world. In consideration of the welfare of foster children, I strongly urge the committee to pass S.B. 2730, SD2, HD1. Thank you for this opportunity to testify.

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March 24, 2008

TO: Representative Tommy Walters, Chair  
Representative Blake K. Oshiro, Vice Chair  
Committee on Judiciary

FROM: Carol Morimoto, LSW  
[REDACTED]  
Honolulu, HI 96822

SUBJECT: S.B. 2730 SD2, HD 1 RELATING TO CHILD PROTECTION

Tuesday, March 25, 2008, 4:05 pm  
Conference Room 325, State Capitol

**PURPOSE:** The purpose of S.B.2730 is to establish a preference for placement of children needing child protective services.

**POSITION:** I strongly support Senate Bill 2730 to give preference to relatives for out-of-home placement of children needing child protective services.

I am a licensed social worker in Hawai'i and have been working in the field for 15 years. Throughout my career, I have had the opportunity to see first-hand the positive impact that family ties can have on the well-being of children. It has been proven through research that placing children with relatives can have lasting benefits to the child. Relative placements can provide not only a stable and loving home for children but they also create an arena where ones culture and family connections help them to develop their identity and self-worth. Other states have recognized the importance of family connections. In 2005 alone, 11 states created or revised provisions of their state law relating to relative placement for abused or neglected children. Hawai'i needs to be a part of this important initiative by passing SB 2730.

The passing of this bill will be extremely beneficial to Hawai'i's children who are in need of out-of-home placement. I strongly urge the committee to pass SB 2730.

Thank you for this opportunity to testify.

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March 24, 2008

**TO:** Committee on Judiciary  
Representative Tommy Waters, Chair  
Representative Blake K. Oshiro, Vice Chair

**FROM:** Cynthia Shimabukuro, LSW, ACSW  
[REDACTED]  
Kaneohe, HI 96744

**SUBJECT:** Judiciary Hearing on SB 2730--SD2, HD1 on March 25, 2008, 4:05 p.m. Rm. 325

**PURPOSE:** The purpose of S.B.2730 is to establish a relative preference for out-of-home placement of children needing child protective services.

**POSITION:** I strongly support Senate Bill 2730 to give preference to relatives for out-of-home placement of children needing child protective services.

As a community based social worker for the past 20 years in Hawai'i working with children and families I have witnessed the need for foster children to have family connections. I worked for several years with youth who were emancipating from foster care. Invariably, those with family ties seemed to do better as adults than those in which the ties were not maintained. The continuity of care, connectedness to culture and family values, as well as the strength of family ties can be brought to the foster care relationships by relative placements. I believe that by establishing a relative preference, we are moving forward in our drive to protect children yet, not do further harm to them by increasing the likelihood that children needing out of home care will be placed with appropriate family members in safe and loving homes and able to maintain their family connections.

I strongly urge the committee to pass SB 2730 with amendments as recommended by DHS.

Thank you for this opportunity to testify.

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Chair Waters  
Vice-Chair Oshiro  
Members of the House Committee on Judiciary  
Nina Sacks  
Tuesday, March 25, 2008

Support of SB 2730 H.D. 1, Relating to Child Protection

Aloha. My name is Nina Sacks and I am currently pursuing my Masters Degree in Social Work at the University of Hawaii at Manoa. A member of the Hawaii Child Welfare Education Collaboration, funded under Title IVE of the Legislature, I conduct my internship within an agency that assesses, trains, and licenses relative and kin foster parents. Upon obtaining my degree I am contracted to be employed for a minimum of 2 years within Child Welfare Services, the Department of Human Services.

When children are removed from an abusive or unsupervised home, it is our hope that they find a safe, nurturing, and loving family within which they can heal and thrive. Regardless of the circumstances, removing children from their parents is painful and traumatic. In addition to leaving their loved ones, they often must change schools, friends, counselors, etc., and may lose contact with everything that has been their foundation thus far.

By making every effort possible to place children within the homes of appropriate blood relatives or non-related kin, we are striving to provide a sense of continuity and stability. We send a message that we respect and value where children come from and who they are. Prioritizing kinship placements gives children a greater chance of remaining within their communities and living with others who share their cultural heritage. It may reduce the potential trauma of separation by ensuring that the ties and familiarity that are crucial to the well-being of children are maintained.

I believe it to be extremely important that the policies we have in place clarify the necessity for the department to make a preference in seeking appropriate kinship placements for foster youth prior to placing children in general licensed homes. I urge the committee to pass SB 2730 H.D. 1. Thank you for this opportunity to testify.

Testimony for: Committee on Judiciary

Date: 3/25/08

Time: 4:05pm

Place: Capitol Building, Rm. 325

From: Kalena Saltiban, 17 yr old foster care youth

I never testified before, but I am now because I'm a foster care youth and I feel so strongly about this bill. I think all grandparents should know what is happening with their grandchildren. They should get custody, so that we foster kids don't have to live with people we don't know.

For ten or eleven years I didn't see my grandparents. When I finally did get to see them, they were happy. They had been wondering what had happened to me! I was happy to see them too. For ten years I had thought one of my grandmas was dead. I was shocked and very happy to find out she was alive! We both cried when we finally got to hug each other.

Grandparents should have equal rights to foster parents. All grandparents should be notified and get custody when their grandchildren are taken into custody by CPS. I would have loved to have lived with my grandmother. Then I would have known my family all these years.

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## TESTIMONY

To the COMMITTEE ON JUDICIARY, Representative Tommy Waters, Chair, Representative Blake Oshiro, Vice Chair, and Committee Members, regarding Hearing on Tuesday, March 25, 2008, 4:00 PM in Conference Room 325 at the State Capitol.

From Patricia Urieff, MSW, ACSW, LSW, with twenty-four years of experience providing social work services to children and families. Parent. Grandparent.

**SB 2730 RELATING TO CHILD PROTECTION.**

**Establishes a grandparent preference** for placement of children needing child protective services.

**Regarding *What* Should Happen When Children Taken into DHS-CPS Custody.**

When Child Protective Services Investigations show child (ren) at risk of harm to the degree that the child must be removed, we depend on the Department of Human Services to early on take steps to find the grandparents and relatives for assessment of their capacity to keep the child safe and nurtured. It makes sense to give preference to the capable grandparent or relative (including hanai with whom a child is strongly bonded). There is a natural connection. Time is of essence for DHS to find child's relatives.

**Regarding *How***

- Heavy responsibility lies with DHS Worker/Supervisor to find grandparents/relative, assess, give them preference to be needed Foster Family for a child in DHS Custody.
- The DSH-CPS assessment should be extended whenever the child (ren) had been left (by parents) with a hanai caregiver for a period of time that resulted in the child (ren) feeling a strong bond to that caregiver.
- `Ohana Conferencing should include both biological and hanai grandparents for discussion about *Best Interest of Child (ren)*.

For more that sixteen years, advocates have encouraged DHS to find grandparents, relatives, hanai caregivers, assess, and put the children there to grow up where the child feels bonded. Within the last year, DHS has a contract for assistance to DHS Social Workers for finding relatives as soon as possible.

**SB 2730 has assurances that there are short timelines for DHS to actually make it happen: grandparents and relatives contacted, assessed, and given preference for Foster Care and if a plan is needed, Adoption.**

**Please support this bill.**

**Your support would end nightmarish tragedies as often happened and left a grieving community:**

- CPS-DHS removed child [from angry parents who won't identify grandparents or relatives because parents hide illegal activities from family.]. DHS placed child in the first available foster home, then didn't actively pursue to find grandparents or relatives. Months passed, *DHS Adoption Plan* moved to be heard in Family Court. Non-relative foster parents fell in love with the child (who was doing fine with them). The foster parent wanted to adopt the child. The worker supported that plan.
- Meanwhile, grandparents and relatives (1) didn't know that CPS picked up the baby or child; (2) are wondering "Where are the kids, where is my grandchild?" (3) Searched for the child and learned the grandchild was in a DHS Foster Home.
- The grandparent or relatives contacted DHS and learned that the *DHS Plan* was for the non-relative foster parents to adopt the child (their grandchild!). In court, the Judge consented to the DHS Plan.

The House Committee on Judiciary

The Honorable Tommy Waters, Chair  
Rep. Blake Oshiro, Vice Chair

SUBJECT: WRITTEN TESTIMONY IN SUPPORT OF  
S.B. 2730, SD2, HD1 RELATING TO CHILD PROTECTION

Hearing: Tuesday / March 25, 2008  
4:05p.m.  
Conference Room 325, Hawai'i State Capitol

Chairman Waters, Members of the Judiciary committee:

Thank you for the opportunity of testifying in strong support for passage of SD 2730, SD2, HD1.

My name is Pete Velasco, and I have been involved with college and high school volleyball and basketball as a coach and player for several years, and have also been a school outreach counselor. My wife and I have been married for fifty-one years and we have had the privilege of being foster parents. We have seven children, seventeen grandchildren and six great grandchildren. This bill is important for us personally because it recognizes the importance of `ohana in the care of our local children. `Ohana is a major force in the care of our children, but we have not given them the recognition and support that they need.

Relatives are the glue that keeps the family alive. Please give them legal recognition in the foster care system.

Mahalo.

Pete Velasco

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