



LATE

SB 2731 RELATING TO CHILD PROTECTION
Senate Committee on Human Services & Housing

Date: January 31, 2008

Time: 1:30p.m.

Room: 016

Aloha, Chairperson Chun-Oakland and members of the Committee on Human Services and Housing. My name is Oswald "Oz" Stender, Trustee At Large to the Office of Hawaiian Affairs (OHA). OHA **strongly supports SB 2731** to permit a child's grandparent to participate as a party at certain child protective hearings.

Pipili no ka pilali I ke kumu kukui.

The Pilali gum sticks to the kukui tree.

Said of one who remains close to a loved one all the time, as a child may cling to the grandparent he loves ('Olelo No`eau 2662).

There are over 14,000 kupuna raising their grandchildren in the state of Hawai'i. In a recent Department of Human Services report, there were almost 60% of Child Protective Service cases of which the children were of Native Hawaiian descent. The reasons of more grandparents raising their children include, "increase drug abuse among parents, teen pregnancy, divorce, the rapid rise of single-parent households, mental and physical illnesses, AIDS, crime, child abuse and neglect and incarceration" (Bryson and Casper 1998). Alarmingly, 90% of the Child Protective Service cases in which a child needs immediate intervention were drug related. Even more disturbing is the fact that grandparents are not aware or notified of their grandchild's whereabouts when child protective services is called to intervene. Hawai'i's confidentiality laws make it near to impossible to get information regarding the grandchild's whereabouts, or who has physical and legal custody of the child. This promotes emotional stress, a sense of grief and loss in locating a loved one in dire need.

This bill will allow a grandparent to be contacted and have equal opportunity to participate as a family member, particularly at a critical moment of their grandchild's life. Furthermore, the grandparents provide a wealth of vital information that is pertinent in providing services and obtaining resources for the child. In short, a child's kupuna's (grandparent's) participation in these meetings can provide safety, comfort and advocacy for their grandchild's well-being. In short, a grandparent represents the heart and voice of their mo`opuna (grandchild).

OHA supports SB 2731 to permit a child's grandparent to participate as a party at certain child protective hearings. Mahalo nui loa for the opportunity to present testimony.

LATE TESTIMONY



CATHOLIC CHARITIES HAWAII

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Joy Lacanienta, Program Director II
Catholic Charities Hawai'i

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION:

Catholic Charities Hawai'i (CCH), is a tax exempt, 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'omaluku, which is a statewide collaboration composed of various community and faith-based agencies working together in partnership to address the needs of Hawaii's children in foster care.

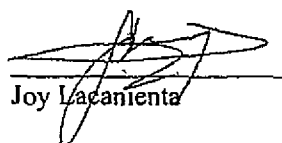
Catholic Charities Hawai'i works closely with the Department of Human Services - Child Welfare Services focusing on Child Specific foster/resource families including Special Licensed Relatives (SLR). A great majority of the foster/resource families we serve are grandparents. This is also a reflection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

For our community, it's vital for grandparents to be able to participate and support their grand children who are under the foster care system throughout the child protective hearings process. This is a culturally sensitive and sound idea that can only bring a stronger support system for Hawaii's foster children.

Again, Catholic Charities Hawai'i strongly supports Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.

Sincerely,



Joy Lacanienta

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Ellen Horiuchi,
Foster (Grand) Parent

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.

Ellen Horiuchi

LATE

January 30, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Cynthia Aronica, Island Supervisor, CCH Statewide Resource Families
Program Kauai

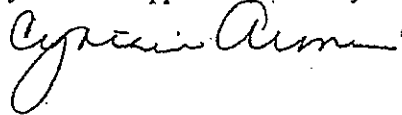
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Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings. Grandparents could bring additional insight and knowledge to the hearings that would further ensure the safety and well being of the child.

Thank you for the opportunity to testify.



LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Althea & Wallis Johnston,
Foster (Grand) Parents

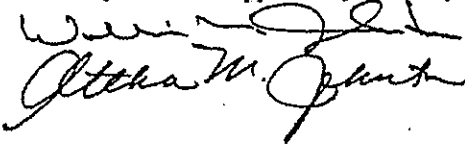
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Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.


Althea M. Johnston

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Pearl & Rodney Halli,
Foster (Grand) Parents

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.

Pearl Halli
Rodney Halli

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Mahina Viritua

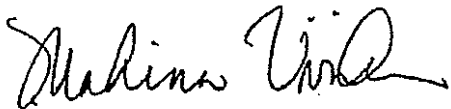
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Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support(s) Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.



LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Jonathan Mendoza

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support(s) Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.

A handwritten signature in cursive script that reads "Jonathan Mendoza". The signature is written in black ink and has a long, sweeping underline that extends to the right.

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Denise Orey

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support(s) Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.

Denise Orey MFW, HSCW

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Shawn A. Humphers

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support(s) Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.

Shawn A. Humphers

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Debra Prince

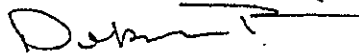
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POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.



'ATE
LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Sarah Begley
Assessment Specialist
Statewide Resource Families Program
Catholic Charities Hawaii

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.

Sarah K Begley

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Daniel J. Snyder,
Grandparent, Special Licensed Foster Parent

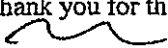
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PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify,


Daniel J. Snyder

LATE

January 29, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

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

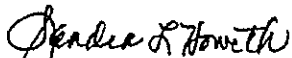
SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

Thank you for the opportunity to testify.


Sandra L. Howeth

LATE

Testimony for: Committee on Human Services and Public Housing

Date: 1/31/08

Time: 1:30 pm

Place: Capitol Building, Rm 016

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

I support the Senate Bills 2730 and 2731. 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 identify 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 2 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. He felt like a "blank". He said, "Without family, I didn't feel like I existed." He said he had "nothing to look forward to". He wanted "to find out who he was, why he was in foster care." He appreciated the State for providing money for clothes and food and for finding homes for him. But, he felt "weird, 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, what to say, know what and when to do it.

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

LATE

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.

By hearing the words of someone who has experienced being deprived of this family connection, I hope that you will better understand and pass this bill.



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

LATE

January 31, 2008

MEMORANDUM

TO: Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services and Public Housing

FROM: Lillian B. Koller, Director

SUBJECT: S.B. 2731 - RELATING TO CHILD PROTECTION

Hearing: January 31, 2008, Tuesday, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B. 2731 is to permit a child's grandparents to participate as a party at certain child protective hearings.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) very strongly supports this bill.

The proposed amendments to section 587, Hawaii Revised Statutes (HRS), will allow grandparents to participate as parties in all hearings subsequent to the section 587-71 dispositional hearing and will ensure that each grandparent who can be located is notified of the hearings. The Department believes that the child's need for safety, permanency and well-being will be served by allowing grandparents the opportunity to attend the hearings to provide information and recommendations to the Court concerning the child who is subject to the Court's jurisdiction.

LATE

The Legislature has already recognized the importance of interested parties' and caregivers' participation in Court review hearings when modifications were made to chapter 587 in 2006 to require that current foster parents be provided with notice of hearings and to allow their participation.

The Department believes that the proposed legislation will help to assure that the child's need for safety, permanency and well-being will be served by encouraging extended family involvement in the Family Court process. Including the grandparents in Court proceedings can increase their capacity to support the family's healing whether the outcome of the Court process is reunification or continued out-of-home care for the children who are the subjects of the proceedings.

The provision of this bill allowing participation in Family Court proceedings in conjunction with the proposed provision of S.B. 2730, Related to Child Protection, specifying grandparents as a preferred placement for a child in need of out-of-care, will help to ensure that children are provided with the opportunity to stay within the larger family system, whenever safe and appropriate.

Grandparents have a very special and vital role in the natural support system for their children and grandchildren. This proposed bill will also help to ensure that grandparents are able to remain involved and able to carry out this capacity.

Grandparents **are** part of our children's family, our 'ohana - let them be so acknowledged. It **is** the right thing to do!

Thank you for the opportunity to testify on this measure.

THE SENATE
TWENTY-FOURTH LEGISLATURE 2008
STATE OF HAWAII

LATE

TO: THE COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING
FROM: PAUL TOMIYASU, Deaf Individual
DATE: 1/31/08

REGARDING: SB BILL 2730, ESTABLISHES CHILD PROTECTIVE SERVICES PREFERENCE
OF GRANDPARENTS TO CARE FOR THEIR GRAND CHILD
SB BILL 2731, PERMITS CHILD PROTECTIVE SERVICES PREFERENCE OF
GRANDPARENTS TO CARE FOR THEIR GRAND CHILD

I am in favor of these measures with reservations that the Grand Parents are check out before they are allowed to care for the children. I know that the recent incident with the child that was dropped on the freeway was horrific, but I do believe that both parent and grandparent in this case may have been responsible too. Once the grandparents pass the Child Protection agency as being fit, then this bill is a good one.

Thank you,

Kalena Saltiban is a 17 yr old youth in foster care. Through the work of DHS + EPIC, we have located + connected Kalena w/ her birth relatives who

Testimony for: Committee on Human Services and Public Housing she had not

Date: 1/31/08

seen for 10 years.

Time: 1:30pm

Place: Capitol Building, Rm. 016

From: Kalena Saltiban, 17 yr old foster care youth

ATE

SB 2730 & SB 2731

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.

LATE

Testimony for: Committee on Human Services and Public Housing
Date: 1/31/08 Time: 1:30 pm Place: Capitol Building, Rm 016
From: Susan Ogami-Van Camp, EPIC Ohana Connections Program Manager.

EPIC Ohana Conferencing

I support the Senate Bills 2730 and 2731. 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 ^{*the one who was w/ Mrs Crowell*} ~~2~~ ^{*(3)*} 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." ~~I~~ ^{*he*} felt like a "blank". He said, "Without family, I didn't feel like I existed" and ~~that he~~ 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 ^{*they were*} ~~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 they were not allowed to stay involved with their young family member. After connecting with him after so many years, it has not been easy for them too as they expected him to fit right in and 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.

LATE

LATE

Testimony of Teresa Shuptrine, a former foster parent with DHS and Foster Family Liaison for Partners In Development-Kokua `Ohana

**IN SUPPORT OF
SB 2731~~0~~-RELATING TO CHILD PROTECTION**

Senate Committee on Human Services and Public Housing (HSP)
Chair Senator Suzanne Chun-Oakland
Senator Les Ihara, Jr., Vice Chair

Conference Room 016, 1:30 p.m.
January 31, 2008

Aloha Chair Chun-Oakland and members of the committee:

I am in total support of SB 2731.

Grandparents are a important part of the ohana. They often times have pertinent information regarding the child. The bottom line is for the best interest of the child and that's what they want too. They should be kept abreast of all the activities that is going on with their grandchildren.

I thank you for the opportunity to testify and respectfully urge the passage of SB 2731. For further information, please contact me at [tshuptrine @ pidfoundation.org](mailto:tshuptrine@pidfoundation.org).

LINDA LINGLE
GOVERNOR OF HAWAII

CHIYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH



STATE OF HAWAII
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
250 SOUTH HOTEL STREET, SUITE 406
HONOLULU, HAWAII 96813-2831

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DIRECTOR

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Committee on Human Services and Public Housing

SB2731, RELATING TO CHILD PROTECTION

**Testimony of Noemi Pendleton
Director of Executive Office on Aging
Attached Agency to Department of Health**

Thursday, January 31, 2008

1:30 p.m.

LATE

1 **Department's Position:** The Executive Office on Aging supports this measure as this permits a
2 child's grandparents to participate as a party at certain child protective hearings.

3 **Fiscal Implications:** Unknown

4 **Purpose and Justification:** EOA recognizes that many older adults in Hawaii are caring for their
5 grandchildren. Pursuant to Act 204, SLH 2007, the Executive Office on Aging had contracted
6 with the University of Hawaii Family and Consumer Sciences Department to conduct an
7 assessment of the issues facing, and the needs of grandparents raising grandchildren in Hawaii.
8 According to the report, which was authored by Dr. Lori Yancura, there are over 14,000
9 grandparents that are primary caregivers for over 33,000 grandchildren in the state of Hawaii.
10 These grandparents raising grandchildren (GRG) are playing an important part in ensuring the
11 well-being of Hawaii's children. They are also saving the state approximately 17 million dollars
12 per month by caring for their grandchildren outside of the foster care system.

13 The services most needed by GRG are children's programs, financial assistance, respite,
14 and grandparent rights. Many of these services are already in place, but GRG don't know that

1 they are eligible for them and/or they don't know how to access them. This measure gives the
2 Department of Human Services the opportunity to educate grandparents about eligible services
3 and how to access them during their participation as a party at selected child protective hearings.
4 Therefore, EOA supports this measure.

5 Thank you for the opportunity to testify.

LATE

January 31, 2008

LATE

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Aimee Kaalakea, LSW
1717 Mott-Smith Dr. #507
Honolulu, HI 96822

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

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 the importance the support and advocacy of relatives for children in the foster care system.

By permitting a child's grandparents to participate as a party at certain child protective hearings, the court and the child's team are allowed a unique, intimate, and inclusive perspective of the family's history, the child's current situation, and future possibilities. The children in the system need the unconditional support and the sure voice of caring family members. Their perspectives can contribute to current knowledge about the family's situation, that may not otherwise be available. Adding grandparents' participation and support provides an opportunity for more thorough planning and decision making, and increases the likelihood that the child will experience better stability and success.

The passage of this bill would serve to give foster children the support that they need, improve the quality of court decision making, and increase likelihood of family support of the courts' judgements. In consideration of the welfare of foster children, I strongly urge the committee to pass SB 2731. Thank you for this opportunity to testify.

LATE

In Support

TESIMONY

To the Committee on Human Services and Public Housing, Senator Suzanne Chun Oakland, Chair, and Senator Les Ihara, Jr., Vice Chair, for Hearing on Thursday, January 31, 2008, in Conference Room 016, at the State Capitol.

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

SB 2731 RELATING TO CHILD PROTECTION.

Permits a child's grandparent to participate as a party at certain child protective hearings.

Regarding *What Should Happen When Children Are 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 the child's grandparents have the right to be invited to be a party at certain protective hearings.

Regarding *Assessment*

Heavy responsibility lies with the DHS Worker and Supervisor to assess for clarity about which grandparent(s) [biological and hanai], the degree to which each has participated in the child (ren)'s life, safety, bonding, ability and capacity to provide fulltime care to each child.

The DHS Report to the Court should include those aspects of the assessment including which grandparent the child (ren) feels bonded to in a strong relationship.

Therefore the DHS Assessment Report to the Court should determine who should be permitted to participate as a party at certain protective hearings.

Committee on Human Services and Public Housing

January 31, 2008

Senate Conference Room 016

1:30 pm

GHA
BILL

LATE

Testimony on Senate Bill 2731

HB 2708

Senator Suzanne Chun Oakland, Chair

Senator Les Ihara, Jr, Vice Chair

The Na Tutu is in support of SB2731, as it relates to giving a child's grandparent an opportunity to participate as a party at certain child protective hearings.

There is a concern, however. In today's society, "hanai" is no longer recognized as a legal entity. A child who has been taken care of primarily by a relative other than a grandparent, or a close family friend, has more often than not bonded emotionally to that caregiver.

In these cases, the Na Tutu would recommend that a provision be made to give a relative, or family friend who has been a caregiver for at least 6 continuous months, the opportunity to participate as a party at certain child protective hearings, also.

Your consideration would be appreciated.

Sincerely,

Jacqueline T. Chong, Chair

Na Tutu, Grandparents Raising Grandchildren

**TESTIMONY OFFERING COMMENTS ON
SB2731 - RELATING TO CHILD PROTECTION**

January 31, 2008 at 1:30 p.m.

The Legal Aid Society of Hawaii hereby provides testimony to the Senate Committee on Human Services and Public Housing on SB2731 – 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.

This bill seeks to confer onto grandparents party status and provide notice to them similar that of foster parents. While we recognize the importance of such notice, we are concerned that this proposed bill does not get to the heart of the issue.

Over the last few years, there has been a fairly vocal debate between the Department of Human Services and the Hawaii Foster Parent Association around the issues of kinship care. DHS has been strong in their preference for such care with reported situations of the removal of a child from a non-relative foster placement to kinship caregivers one to two years after child welfare intervention. Previous bills from the Hawaii Foster Parent Association reflected concern by attempting to codify a preference for the current foster home for a foster child if kinship care was not found within a certain number of days. This debate has been heated, yet both DHS and the Hawaii Foster Parent Association in no doubt have had the best interest of the foster child in mind.

Two years ago, the legislature passed a bill that conferred onto foster parents party status and required notice of hearings to be provided to them. This has now placed foster parents (many times non-relative) in a better position at times than family members, including grandparents who have an interest in the welfare of a child. Due to delays in searching and family estrangement among other factors, grandparents and other kin are sometimes the last to know about the removal of a child and because of a safe foster home has been found for a child, DHS may be reluctant to move a child to that home. If they do not have the support of DHS, grandparents and other kin are left to file motions to intervene which are frequently denied by the court. This imbalance in court leads to increased frustration by both parties and thus the proposal of bills like this one.

We believe that before the legislature takes another step to confer party status onto another interested person, that it takes a serious step back and review the child welfare statute and the purposes of it.

The policy and purpose of this chapter is to provide children with prompt and ample protection from the harms detailed herein, with an opportunity for timely reconciliation with their families if the families can provide safe family homes, and with timely and appropriate service or permanent plans to ensure the safety of the child so they may develop and mature into responsible, self-sufficient, law-abiding citizens. HRS §587-1.

It seems that the first half of this purpose is many times ignored. It is the purpose to provide first, an opportunity for timely reconciliation with their families if the families can provide safe family homes and second, with timely and appropriate service or permanent plans. When we begin to confer party status on foster parents, grandparents, and other kin and require notice of hearings as parents are participating in their

LATE

opportunity for timely reconciliation, we seem to forget that the first thing that we are trying to do is keep families with their parents and not begin talking about permanency and termination of parental rights.

Party status under HRS §587-2 is by definition limited to the authorized agency, the child, the child's family member or members, any other member of the child's family or any other person alleged to contribute to the acts bringing the child under the child welfare statute and who has been served with the summons. Parties, as in the case of foster parents, participation can currently be limited by this definition. In this proposed bill, party status is being sought by grandparents. The question, that the legislature and this committee must ask is why and is this the best way to integrate the interest of grandparents and family members?

We think that to clarify the statute and ensure that the initial purpose of the chapter remains with the goal of reunification and then to permanency, we recommend the following:

Revision of §587-51.5 to provide notice of hearings to foster parents and grandparents and other interested persons, but not immediate party status:

§587-51.5 Notice of hearings. (a) Notice of all hearings shall be served upon the parties and upon the parents. Notice of hearings shall be served by the department upon the parties no less than forty-eight hours before the scheduled hearing. No hearing shall be held until the parties are served.

(b) Notice of all hearings subsequent to the section 587-71 disposition hearing shall be served upon the current foster parent or parents and other identified interested persons pursuant to section ~~[each of whom shall be entitled to participate in the proceedings as a party]~~. Notice of hearings shall be served by the department upon the current foster parent or parents and other identified interested persons no less than forty-eight hours before the scheduled hearing, subject to a shortening of time when a hearing is set within a shorter time frame. No hearing shall be held until the current foster parent or parents and other identified interested persons are served. For purposes of this subsection, notice to foster parents may be effected by hand delivery, regular mail, or by facsimile or electronic mail if receipt may be confirmed, and may consist of the last court order, if it includes the date and time of the hearing.

~~[(c) For purposes of this section, "party" or "parties" shall include the current foster parents.]~~

Add a new definition to §587-2 of interested persons:

"Interested Persons" means extended family members, friends and other interested persons other than the parents who are important in the child's life and can provide support to the family. The department and authorized agencies shall identify all interested persons within six months of assuming foster custody of the child.

Revision of §587-25 requiring the department of human services to provide detailed information as to their attempts to locate and identify extended family and/or friends available to the child's family:

§587-25 Safe family home guidelines. (a) The following guidelines shall be fully considered when determining whether the child's family is willing and able to provide the child with a safe family home:

- 10) Whether there is a support system of extended family and/or friends available to the child's family and what attempts have been made to locate and identify extended family and/or friends;

LATE

Revise the definition of "party" in §587-2 to include interested persons and foster parents at the time of the permanent plan hearing:

"Party" means an authorized agency, the child, the child's family member or members who are required to be summoned pursuant to section 587-32(a), any other member of the child's family, or any other person who is alleged in the petition filed under this chapter or who is subsequently determined at any child protective proceeding to be encouraging, causing, or contributing to the acts or conditions which bring the child within this chapter, and who has been duly served with a summons and a copy of the petition filed under this chapter; and foster parents and interested parties at the permanent plan hearing and subsequent hearings; provided that the court may limit a party's right to participate in any child protective proceeding if the court deems such limitation of such party's participation to be consistent with the best interests of the child and such party is not a family member who is required to be summoned pursuant to section 587-32(a), except as provided in section 587-73(b)(1)(D).

We recognize that these proposed amendments are quite extensive and we are open to revised languages based on the interest of the other interested agencies and organizations. However, we do believe that our recommendations can provide the starting point for a candid conversation between all those concerned with the best interest of children in the child welfare system.

Thank you for this opportunity to testify.

Sincerely,

Nalani Fujimori
Deputy Director
527-8014



LATE

SB 2731 RELATING TO CHILD PROTECTION
Senate Committee on Human Services & Housing

Date: January 31, 2008

Time: 1:30p.m.

Room: 016

Aloha, Chairperson Chun-Oakland and members of the Committee on Human Services and Housing. My name is Oswald "Oz" Stender, Trustee At Large to the Office of Hawaiian Affairs (OHA). OHA **strongly supports SB 2731** to permit a child's grandparent to participate as a party at certain child protective hearings.

Pipili no ka pilali I ke kumu kukui.

The Pilali gum sticks to the kukui tree.

Said of one who remains close to a loved one all the time, as a child may cling to the grandparent he loves ('Olelo No'eau 2662).

There are over 14,000 kupuna raising their grandchildren in the state of Hawai'i. In a recent Department of Human Services report, there were almost 60% of Child Protective Service cases of which the children were of Native Hawaiian descent. The reasons of more grandparents raising their children include, "increase drug abuse among parents, teen pregnancy, divorce, the rapid rise of single-parent households, mental and physical illnesses, AIDS, crime, child abuse and neglect and incarceration" (Bryson and Casper 1998). Alarmingly, 90% of the Child Protective Service cases in which a child needs immediate intervention were drug related. Even more disturbing is the fact that grandparents are not aware or notified of their grandchild's whereabouts when child protective services is called to intervene. Hawai'i's confidentiality laws make it near to impossible to get information regarding the grandchild's whereabouts, or who has physical and legal custody of the child. This promotes emotional stress, a sense of grief and loss in locating a loved one in dire need.

This bill will allow a grandparent to be contacted and have equal opportunity to participate as a family member, particularly at a critical moment of their grandchild's life. Furthermore, the grandparents provide a wealth of vital information that is pertinent in providing services and obtaining resources for the child. In short, a child's kupuna's (grandparent's) participation in these meetings can provide safety, comfort and advocacy for their grandchild's well-being. In short, a grandparent represents the heart and voice of their mo'opuna (grandchild).

OHA supports SB 2731 to permit a child's grandparent to participate as a party at certain child protective hearings. Mahalo nui loa for the opportunity to present testimony.

LATE TESTIMONY

Testimony of Corrina Moefu, a Grandmother and a Foster Family
Liaison for Partners In Development-Kokua `Ohana

IN SUPPORT OF
SB 2731-RELATING TO CHILD PROTECTION

Senate Committee on Human Services and Public Housing (HSP)
Chair Senator Suzanne Chun-Oakland
Senator Les Ihara, Jr., Vice Chair

Conference Room 016, 1:30 p.m.
January 31, 2008

Aloha Chair Chun-Oakland and members of the committee:

On behalf of my mo`opuna (grandchildren) I support SB 2731 which permits a child's grandparent to participate as a party at certain child protective hearings. This Act will give grandparents an opportunity to participate in such hearings so that we can help to ensure the safety and well-being of our mo`opuna.

We all know the important role of Tutu wahine (grandmother) and Tutu kane (grandfather) play in our families. They were always part of the decision making when it came to the wellbeing and protection of our keiki. When we don't give them the opportunity to participate it takes away a vital role in our family. Kupuna (grandparents) are special people; they have the wisdom and heart to want better for their mo`opuna (grandchildren).

In closing, I'll leave you with the saying "Nana I Ke Kumu" (Look to the Source), was used often by our ancestors as a means of educating the youth to seek answers from the makule (elderly people) around them that had the answers to many of their questions.

I thank you for this opportunity to testify and respectfully urge the passage of SB 2731. For further information, please contact me at cmoefu@pidfoundation.org.

LATE

SUPPORT

Senate Committee on Human Services and Public Housing
January 31, 2008 at 1:30 PM
Senate Conference Room 016

Senate Bill 2731 - Permits a child's grandparent to participate as a party at certain child protective hearings

Senator Suzanne Chun Oakland, Chair

Senator Les Ihara, Jr, Vice Chair

And Members of the Committee

The Na Tutu is in support of SB 2731, as it relates to giving a child's grandparent an opportunity to participate as a party at certain child protective hearings.

There is a concern since "hanai" is no longer recognized as a legal entity. In this state "Ohana" is extremely important to families and need to be recognized. A child who has been taken care of primarily by a relative other than a grandparent or family friends have usually developed a bond to that caregiver.

In these cases, the Na Tutu would recommend that a provision be made to give a relative or family friend who has been a caregiver for at least 6 continuous months, the opportunity to participate as a party at certain child protective hearings, also.

I am in support of SB 2731

Sincerely,

Carole Mulford, Member
Na Tutu, Grandparents Raising Grandchildren
47-350 Waihee Road, Kaneohe, HI 96744
808-239-5521, mahoe7779@hotmail.com

TESTIMONY OF Anuheia Diamond, Kokua 'Ohana Foster Family Liaison
Partners In Development Foundation – Kokua 'Ohana

**IN SUPPORT OF
SB2731 – RELATING TO CHILD PROTECTION**

**Senate Committee on Human Services and Public Housing (HSP)
Chair Senator Suzanne Chun-Oakland
Senator Les Ihara, Jr., Vice Chair**

LATE

Conference Room 016, 1:30 PM
January 31, 2008

Aloha Chair Senator Chun-Oakland and esteemed members of the committee:

I am writing to you in full support of SB2731, which is to permit a child's grandparent to participate as a party at certain child protective hearings.

From the standpoint of a Foster Family Liaison, I am well aware of the general occurrences, challenges, as well as blessings that are bestowed upon these children in dire need of protection. In agreement with the legislature which finds that grandparents are part of the natural support system for a family, it is most certain that grandparents can play a most positively effective role when given the opportunity to participate as a supportive party for the safety and well being of a child. Children need all the support they can get. Grandparents make a difference.

With the passage of SB2731, the state of Hawai'i will be opening a great door in the added support and protection of our children. Our grandparents, or kupuna, deserve that chance to help to ensure the safety and well being of a child. Children need all the support they can get. Children deserve all the support they can get. As reiterated in the Kokua 'Ohana program, *Hanai i ka la'akea*, we need to *Foster the sacred light*. Our children are our light that we should encourage in any way possible.

I sincerely thank you for this opportunity to testify in support of SB2731 and politely urge the passage of the Act. For further information, please contact me at ediamond@pidfoundation.org.

LATE

January 29, 2008

To: Honorable Senator Suzanne Chun Oakland, Chair
FROM: Linda Santos, President & CEO, Foster Family Programs of Hawai'i
RE: Senate Bill 2731

Hearing: January 31, Thursday, 1:30 p.m., Capitol Room 016

Purpose: Senate Bill 2731 – Permits a child's grandparent to participate as a party at certain child protective hearings.

Introduction: I am Linda Santos, President and CEO of Foster Family Programs of Hawaii. We provide services to prevent foster care placement; support children and families involved in out of home placement; and assist young adults emancipating from the foster care system.

Agency Position: Foster Family Programs of Hawai'i supports the intent of this bill, which gives a child's grandparent an opportunity to participate as a party at certain child protective hearings, thereby helping to ensure the safety and well-being of the child.

We believe that permitting grandparents to participate as a party at their grandchild's protective hearings is beneficial to the child, as grandparents are part of the natural support system of the family. Grandparents play an increasing more visible role in the lives of their grandchildren in today's communities and provide strength, resources, and family values to their lives. The stability, wisdom, and knowledge of grandparents are vital to the development of children, especially during times of turmoil and instability. Grandparents also have the ability to maintain the continuity of family relationships and connections that support the children's safety, well-being, and identity.

Research shows that grandparents affect grandchildren even when they do not live under the same roof. When children face high risk situations such as poverty and parental mental illness, grandparents can make a difference by positively affecting a child's development. Recent findings support how grandparents can buffer the negative effects of high risk on children. High risk settings include poverty, parental mental illness, and stressful family events and changes.

We feel it would most beneficial to children to receive the support of their grandparents by their participation as a party at certain child protective hearings.

Thank you for the opportunity to testify.

LATE TESTIMONY

January 30, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Carol Morimoto, LSW
1011 Prospect St. # 806
Honolulu, HI 96822

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

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 witness the integral role that grandparents can play in the lives of children. Grandparents are often at the core of families, passing on their wisdom, culture, and traditions. It is oftentimes the grandparents who assist in the caregiving of their grandchild, providing them with a greater understanding of the child and his/her needs. By allowing a child's grandparent(s) to participate as a party at certain child protective hearings, their knowledge and experiences surrounding their children and grandchildren's needs can be taken into account. I strongly urge the committee to pass SB 2731.

Thank you for this opportunity to testify.

LATE TESTIMONY

January 30, 2008

TO: Honorable Suzanne Chun Oakland, Chair
Committee on Human Services and Public Housing

FROM: Cynthia Shimabukuro, LSW, ACSW
46-441 D Kahuhipa Street
Kaneohe, HI 96744

SUBJECT: S.B. 2731 Relating to Child Protection

Hearing: Thursday, January 31, 2008, 1:30 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B.2731 is to permit a child's grandparent to participate as a party at certain child protective hearings.

POSITION: I strongly support Senate Bill 2731 to permit a child's grandparents to participate as a party at certain child protective hearings.

As a community based social worker for the past 20 years in Hawai'i working with children and families, I understand and support permitting a child's grandparents to participate as a party at certain child protective hearings. The children in the system deserve to have the support and voice of a caring family member. Grandparents often have a more global view of the family issues as well as a deep seeded connection to the child, that can be missing without their presence. Their perspectives may be able to add to current knowledge about a case and provide an opportunity for more thorough planning and decision making.

I strongly urge the committee to pass SB 2731.

Thank you for this opportunity to testify.

Sen. Suzanne Chun Oakland, Chair
Human Services and Public Housing (HSP) Committee

Kanani Kaaiawahia Bulawan
Private Citizen, Grandparent
Member of the Na Kupuna Council O Waianae

January 31, 2008 Time: 1:30pm Rm: 016

**FULL SUPPORT OF SB2730: CHILD PROTECTION ACT; OHANA
PREFERENCE; GRANDPARENTS**
**FULL SUPPORT OF SB2731: CHILD PROTECTIVE ACT; NOTICE OF
HEARINGS**

Aloha Chair Chun Oakland and members of the committee:

My name is Kanani Kaaiawahia Bulawan, a member of this community, a mother and a proud grandmother. I'm here testifying in Full Support of SB:2730 and SB: 2731, both relating to child protection act and providing inclusion of grandparents as preference for placement of our grandchildren as well as providing notices of hearings for court intervention regarding the situation of our Ohana.

It has been my experience as a community member that over the past decade the department of human services, child welfare services has taken steps in changing current practices of how and when our children are removed from their homes and how and when placement is considered. Over the period an emphasis has been made to locate "Kin", this is define as to the relationship with the child or children being considered in harms way. This bill will actually allow the process of Kinship placement a priority and consider by hierarch the grandparents' right to take responsibility for the child. Without this measure in place, "Kinship" placement is only put a process that can be considered.

Our community has many needs and challenges. The bill identifies the concerns and solutions in addressing the barriers to assuring we have a healthier community and thereby reducing the need for continued government interventions. As a grandparent I would definitely appreciate the ability for preference in placement of my grandchild and have notices of actions that involve them.

Thank you for allowing me this time to submit my testimony and request your favor to support these measures. For more information I can be contacted at 586-7091.

Mahalo,

SB2731

Testimony for: Committee on Human Services and Public Housing

Date: 1/31/08

Time: 1:30pm

Place: Capitol Building, Rm. 016

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 HB2708 and SB2731 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.

But don't just take my word for it. 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. It only makes sense. While there will always be those amazing, exceptional, kids who make it no matter what, for those of us with intact families, I think it's safe to say there's often a vital, direct line that runs from our roots to our successes.

Child Protection Act; Ohana Preference; Grandparent

To: Senator Chair
Senator Vice Chair

From: Johnny Lee Hamron
2751 Kapiolani Blvd. #302
Honolulu, Hawaii 96826
threeptharmon@aol.com

Subject: Testimony in support of
SB2731--Permits a child's grandparent to
participate as a party at certain child
protective hearings.

SB2730-- Establishes a grandparent
preference for out-of-home placement a
children needing child protective services.

Hearing:

Date: Thursday, 2/7/08

Time: 1:30pm

Place: Conference Room 100, State Capitol

Grandparent

Grandparent should be able to participate in the hearings because they (GRANDPARENT) are the back bone of the family. They have the knowledge and wisdom. Grandparents got the strength to keep the family together. They spend most the time with the kids, go to school functions and even teach the kids there ABC's and 123's. Grandparents take the kids outings like to the park and even do thing with them when there parents can not do it due to having 2/3 job to take care of the bills and put food on the table. So what would this world be out GRANDPARENTS.

Sincerely,
Johnny Lee Harmon
President
Parents for righteousness

Child Protection Act; Ohana Preference; Grandparent

To: Senator Chair
Senator Vice Chair

From: Johnny Lee Hamron
2751 Kapiolani Blvd. #302
Honolulu, Hawaii 96826
threeptharmon@aol.com

Subject: Testimony in support of
SB2731--Permits a child's grandparent to
participate as a party at certain child
protective hearings.
SB2730-- Establishes a grandparent
preference for out-of-home placement a
children needing child protective services.

Hearing:
Date: Thursday, January 31, 2008
Time: 1:30pm
Place: Conference Room 016 State Capitol

Grandparent

Grandparent should be able to participate in the hearings because they (GRANDPARENT) are the back bone of the family. They have the knowledge and wisdom. Grandparents got the strength to keep the family together. They spend most the time with the kids, go to school functions and even teach the kids there ABC's and 123's. Grandparents take the kids outings like to the park and even do thing with them when there parents can not do it due to having 2/3 job to take care of the bills and put food on the table. So what would this world be out GRANDPARENTS.

Sincerely,
Johnny Lee Harmon
President
Parents for righteousness