

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE JC-NTK

March 25, 2008

LATE TESTIMONY

The Honorable Tommy Waters, Chair  
and Members  
Committee on Judiciary  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Waters and Members:

Subject: Senate Bill No. 2886, S.D. 1, H.D. 1, Relating to Child Abandonment

I am Richard C. Robinson, Acting Major of the Criminal Investigation Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department strongly opposes the passage of Senate Bill No. 2886, S.D. 1, H.D. 1, Relating to Child Abandonment.

We have concerns with this bill and recommend that section 709-902, Hawaii Revised Statutes, Abandonment of a child, remain as currently written.

First and most importantly, this bill makes the parent, legal guardian, or responsible caregiver of the missing child our prime suspects in a child's disappearance. In any thorough investigation, the police always take a two-pronged approach by looking at those closest to the victim as well as the possibility of a stranger abduction. We do not jump to conclusions about either possibility; keeping an open mind is key.

It is important that the parent, legal guardian, or responsible caregiver help us investigate the case as witnesses and not worry about being accused of a criminal offense. Parents, legal guardians, or responsible caregivers have the most intimate knowledge about their children and their activities as well as caring the most about the welfare of the child. If they are thinking about being prosecuted for a mistake that they may have made, we will have divided their focus between the disappearance of their child and their own possible criminal prosecution. We want them to be our witnesses, not our suspects. At this point, time becomes our enemy and as every second passes, the successful recovery of the missing child becomes less and less likely.

*Serving and Protecting With Aloha*

Honorable Tommy Waters, Chair  
and Members  
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Second, we realize the importance of creating a safe community in which our children can grow and develop into successful adults. Creating a law for an isolated incident such as the tragedy of the Peter Kema disappearance is not necessary. It is impossible to legislate for every conceivable explanation provided as to the disappearance of a child. In these circumstances, we must respond to the disappearance of a child with all of the investigative tools available to us at the time. Only by doing an in-depth and immediate investigation can we hope to learn about a child's fate.

As to the tragedy of the disappearance of Peter Kema, we have no words to express our sadness to the family; however, turning parents, legal guardians, or caregivers into suspects is not the answer.

We strongly urge you to oppose Senate Bill No. 2886, S.D. 1, H.D. 1, Relating to Child Abandonment.

Thank you for the opportunity to testify.

Sincerely,



RICHARD C. ROBINSON, Acting Major  
Criminal Investigation Division

APPROVED:

  
For BOISSE P. CORREA  
Chief of Police