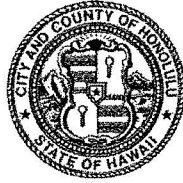


POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE JC-NTK

March 11, 2008

The Honorable Maile S. L. Shimabukuro, Chair  
and Members  
Committee on Human Services and Housing  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Shimabukuro and Members:

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

I am Carlton S. Nishimura, Major of the Criminal Investigation Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department opposes Senate Bill No. 2886, S.D. 1, Relating to Child Abandonment.

We recommend that section 709-902, Hawaii Revised Statutes, Abandonment of a child, remain as currently written.

We have several problems with this bill, including what constitutes abandonment, how do we prove someone's "true identity," and are we stigmatizing the "homeless" or "unemployed" in society as not being responsible enough to look after their children.

Children are very curious and often walk away from their parents or guardians to explore. If we take all of these children into custody and prosecute their parents for abandonment, our judicial system and foster care homes will be overloaded. In most cases, parents are counseled about child care and warned that future action may be taken against them if their children are found wandering around because it is not serious enough to require criminal prosecution. We have found the warning to be very

Honorable Maile S. L. Shimabukuro, Chair  
and Members  
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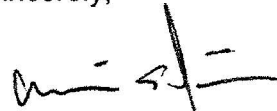
helpful in protecting children and gaining compliance from parents. If criminal prosecution is required, we have other statutes available for us to use. Currently, we use two statutes, Endangering the welfare of a minor in the first degree and Endangering the welfare of a minor in the second degree.

This new section would hamper other investigations conducted by police. For example, if a child was seriously injured or murdered by a third party in an abandonment situation, the parents, who are now suspects in an abandonment case, may choose to remain silent about the case involving the third person. By their not making a statement, the investigation of the more serious crime will be hindered. We ask that you consider the bigger issue.

The Honolulu Police Department urges you to oppose this bill. We recommend leaving the Abandonment of a child section as it is currently written.

Thank you for the opportunity to testify.

Sincerely,



CARLTON S. NISHIMURA, Major  
Criminal Investigation Division

APPROVED:



*for*  
BOISSE P. CORREA  
Chief of Police