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April 5, 2010

TO: Honorable James K. Tokioka, Chair
House Committee on Legislative Management

FROM: Lillian B. Koller, Director

SUBJECT: **H.C.R. 165 - REQUESTING AN AUDIT OF THE EFFICIENCY AND EFFECTIVENESS OF THE CHILD WELFARE SERVICES PROGRAM IN PROCESSING AND INVESTIGATING COMPLAINTS OF CHILD ABUSE AND NEGLECT AND MISUSE OF CHILD SUPPORT**

Hearing: Monday, April 5, 2010, 3:30 p.m.
Conference Room 423, State Capitol

PURPOSE: The purpose of this resolution is to request the Auditor to conduct an audit of the efficiency and effectiveness of the Child Welfare Services program in processing and investigating complaints of child abuse and neglect and misuse of child support.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) opposes this resolution.

This audit is an unnecessary waste of limited State resources at a time when the State is facing a \$1.23 billion shortfall because it is duplicative of what the Federal Government is already doing and has been doing for the past several years. This audit will also divert the time and attention of child welfare services staff whose primary responsibility is to ensure the safety, permanency and well being of children.

Hawaii, including all the other states in the nation who were audited by the ACF, is required to participate in a federally approved Program Improvement Plan (PIP) to address any areas needing improvement found in the federally-mandated Child and Family Services Review. This means that Hawaii's program and outcomes will already be closely monitored by the Federal Government for the next two years as they were during the last PIP.

Additionally, since 2005, the Department has successfully implemented a quality case review process that examines Child Protective Services statewide, using a team of community volunteers and staff, to conduct many Child and Family Services Reviews to ensure that reports are being received, cases are being assessed, and services are being delivered in accordance with State and Federal requirements.

The statement in this resolution that child welfare services is responsible for investigating complaints of the misuse of child support payments is not correct. The Child Support Enforcement Agency is in the Department of the Attorney General.

The Department is responsible for investigating complaints of child abuse and neglect. There is also ample evidence that, contrary to the allegation that complaints of abuse or neglect were ignored, we have successfully implemented a Child Welfare System that has greatly improved our response to report of abuse and neglect as a result of the aggressive systemic changes implemented by the Department.

- The Department has been audited as recently as June 2009 by the Federal Administration for Children and Families (ACF), who acknowledged the progress the Department has made in decreasing the time between the assignment of a report for investigation and a face-to-face contact with the alleged victim.
- The Department successfully implemented a statewide centralized intake process that uses an intake tool and protocol that was developed in collaboration

with the National Resource Center for Child Abuse that has gained national recognition for its success in assessing and responding to reports of abuse or neglect.

- The Department provides voluntary services without child welfare services intervention to families to assist them in maintaining children in safe homes.
- The number of children in foster homes has been decreased by one-half since 2004.
- Hawaii's recurrence rate of abuse or neglect, 3.9% for SFY 09 and 1.8% for the most recent quarter is one of the lowest in the nation.

Thank you for this opportunity to testify.

boshiro3-Blanka

From: noenoe barney-campbell [noenoebc@hawaii.rr.com]
Sent: Monday, April 05, 2010 9:47 AM
To: LMGtestimony
Subject: Testimony HCR 165 (HSCR 1001-10)

Aloha -

I have multiple concerns about the overall functioning of the Child Protective Services in Hawai'i and have my 4+ years of battling with them documented. My grandchildren were in Foster Care with me for these 4 years before they were returned to their mother. Here are some of my concerns:

1. They do not include the Foster Parents in planning nor do they ask for their valuable input or collaborate on a strategy to help the child/children--in fact the CPS workers treat foster parents as adversaries and do not listen to them and what they have to offer.
2. CPS workers do not adhere to their own guidelines--my grandchildren's case should have been closed within the first year but instead, because of their incompetence, it went on for 4 years.
3. Despite repeated requests to meet with Lillian Koller regarding my experience, I was told there was no way I would be able to do that--I thought a part of her job was to listen to the people.
4. CPS interfered in an educational decision (retention--twice)) that had been made in the best interest of one of the children, and which was with the agreement and endorsement of the school and their psychiatrist--but the CPS worker called the school and told the principal she could not retain the child and to place him in his proper grade; the principal had no choice but to comply--this is abuse of their position and power and in direct conflict with the best interest of the child.
5. Foster care workers changed 6 times in the first 2 years--loss of continuity for all concerned, and probably why the children's needs were never paramount and why the case took so long to resolve.
6. CPS case workers did not return phone calls and in some cases you could not even leave a message because their mailbox was full. Emails also went unanswered.
7. The assigned Supervisor refused to allow us to change social workers even after the worker lied to her about me and did not come to see us for 4 months; the Supervisor was extremely rude, condescending and ineffective and never called to try to resolve any of the multiple issues that came up in the 4 years.
8. CPS interfered in the adoption process of one of the children in the case and it became very adversarial--they wanted to send the child to relatives out of state and we had already designated who we wanted to adopt the child here in Hawai'i.
9. No mental health was offered to the children after the trauma of what had happened to them; I found and took them to a child psychiatrist after months of delay by CPS. Every child who enters foster care should be given a psychiatric evaluation to identify their emotional needs in order to help them recover from the trauma to which they have been exposed.
10. There was never a spirit of working together to resolve the plight of the children and the case languished; kids need continuity, consistency, and predictability as do the foster parents in this time of trauma for the children, and that was never the case; others have had similar experiences.

I am a semi-retired teacher and educator with 40 years of working with children, and CPS refused to listen to me regarding the educational and emotional needs of these children. The children wanted to stay with me--they had been with me for 4 years in foster care, plus 2 years before that and in the case of the oldest girl, for 2 years before that. They did not listen and they basically washed their hands of the oldest girl because she would quickly "age out" of the system and therefore she did not get her the help she needed nor did they try to have her mom get her this help.

Most of what I predicted would happen to the children as a result of the decisions made by CPS has already occurred--their emotional and medical needs are not being met by their mother and educationally they are struggling. I brought this up with CPS before they relinquished their control and they didn't care. They had created the mess and their only interest was in closing the case which they had badly mishandled from the beginning. This abuse by CPS needs to stop because the children are the ones ultimately hurt by this bureaucratic monster.

I will gladly share my rather large file on this case and my experiences with CPS with anyone who is interested.

Mahalo,

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April 1, 2010

**The Honorable James Tokioka,
Chair of the Committee on Legislative Management
Hawaii State Capitol, Room 322
Honolulu, Hawaii 96813**

**Re: H.C.R. 165 - REQUESTING AN AUDIT OF THE EFFICIENCY AND EFFECTIVENESS OF THE CHILD
WELFARE SERVICES PROGRAM IN PROCESSING AND INVESTIGATING COMPLAINTS
OF CHILD ABUSE AND NEGLECT AND MISUSE OF CHILD SUPPORT.**

Hearing: Monday, April 5, 2010 at 3:30 p.m.

Dear Chair Tokioka, Vice Chair Oshiro, and Members of the Committee on Legislative Management:

Thank you for the opportunity to testify on this measure. I work in Representative Yamane's Office, but I am testifying as a private citizen. I strongly support H.C.R. 165.

Growing up I was abused. At the time, I didn't know it though. I learned to endure the pain, and accept it. I did not think I was eligible to receive help from government agencies that handled complaints of child abuse because I did not recognize my mother as an abuser. As a child, the only right I thought I had was the right to complain about the misuse of the child support money my father provided while my mother starved and abused me.

In 2005, when I was 17-years-old I called the Hawaii Department of Human Services Child Welfare Services Program for help. By that time, things had gotten so bad that I didn't think I would see my 18th birthday. But instead of helping me find a way to escape my mother's abuse or receive the monetary support that was rightfully mine, the Child Welfare Services Program only referred me to the Child Support Enforcement Agency, which was unable to help me. This not only reaffirmed my belief that I did not deserve the help I needed to escape my abuser, but it also left me helpless as the abuse intensified.

The efficiency and effectiveness of the Child Welfare Services Program needs to be investigated and improved so that children do not have to suffer through abuse without receiving assistance.

Thank you,

Maria Grant