



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**OFFICE OF YOUTH SERVICES**  
820 Milliani Street, Suite 817  
Honolulu, Hawaii 96813

February 3, 2011

TO: The Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services

FROM: David Hipp, Acting Executive Director

A handwritten signature in black ink, appearing to read "David Hipp", is written over the printed name in the "FROM" field.

SUBJECT: **SB 921, Relating to Minors**

Hearing: Tuesday, February 8, 2011; 2:00 p.m.  
State Capitol, Conference Room 016

The Office of Youth Service (OYS) supports Senate Bill 921, Relating to Minors, which would allow a minor to give informed consent for emergency shelter and related services.

The purpose of this bill is to assure that there are safe shelter options for homeless, runaway, or so-called "throw-away" youth who currently lack regular nighttime residence and related services. Some choose to leave their homes for various reasons, while others, such as the throwaways, are denied housing by their parent, legal guardian, or custodian. These youth may not be abused, neglected, or subject to imminent harm criteria which may make them eligible for DHS services. Nevertheless, these youth are at-risk because they cannot access shelter and other services available to the homeless due to an agency's inability to contact parents/guardians, the youth refuses provide contact information or that the parents/guardians refuse to give consent for services. It is in the best interest of the youth to be provided adequate emergency shelter and related services in lieu of returning to the streets.

OYS requested the Department of the Attorney General (AG) review the bill. Based on a cursory analysis, a revision is recommended that lines 16-18 on Page 1 be amended to read as follows:

- (1) The provider has [~~not been able~~] made a good faith effort to contact the minor's parent, legal guardian, or custodian to obtain

consent for emergency shelter and related services [-] but has been unable to do so.

Should our Deputy Attorney General make additional recommendations for amendments, we will immediately forward that information to this Committee for your consideration

With the above amendment, the Office of Youth Services supports this measure. Thank you for the opportunity to testify on this manner.

# HAWAII YOUTH SERVICES NETWORK

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Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Alan Shinn, President

Judith F. Clark, Executive Director

Adolescent Services Program, Kaiser  
Permanente Medical Care System

Aloha House

American Civil Liberties Union of Hawaii

Assistive Technology Resource Ctrs. of HI  
Bay Clinic, Inc.

Big Brothers Big Sisters of Honolulu

Big Island Substance Abuse Council

Blueprint for Change

Bobby Benson Center

Catholic Charities Hawaii

Central Oahu Youth Services Assn.

Child and Family Service

Coalition for a Drug Free Hawaii

College Connections

Community Assistance Center

Domestic Violence Action Center

EPIC, Inc.

Family Support Services of West Hawaii

Friends of the Missing Child Center of HI

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Behavioral Health

Hawaii Student Television

Healthy Mothers Healthy Babies Coalition

Hina Mauka Teen Care

Hui Malama Learning Center

Kahi Mohala Behavioral Health

Kama'aina Kids, Inc.

KEY (Kualoa-Heeia Ecumenical Youth)  
Project

Kids Behavioral Health

Kids Hurt Too

Kokua Kalihi Valley

Kula No Na Poe Hawaii

Lanai Community Health Center

Life Foundation

Marimed Foundation

The Maui Farm, Inc.

Maui Youth and Family Services

Palama Settlement

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

Planned Parenthood of Hawaii

Queen Liliuokalani Children's Center  
Kona Unit

REAL

Salvation Army Family Intervention Svcs.

Salvation Army Family Treatment Svcs.

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

The Children's Alliance of Hawaii

Waikiki Health Center

Women Helping Women

YouthVision

YWCA of Kauai

February 7, 2011

To: Senator Suzanne Chun Oakland, Chair  
And members of the Committee on Human Services

## TESTIMONY IN SUPPORT OF SB 921 RELATING TO MINORS

Hawaii Youth Services Network, a statewide coalition of more than 50 youth-serving organizations, strongly supports SB 921 Relating to Minors.

This bill will increase the safety of minors who are runaway or homeless by allowing them to consent for admission to an emergency youth shelter if their parents/guardians cannot be reached to provide consent or the parent refuses consent but will not allow the youth to return home.

The number of youth who cannot obtain parental/guardian consent for shelter admission is small, but the consequences when youth are forced to remain on the street are severe. These youth are at high risk for physical or sexual assault, poor nutrition, inadequate health care, and inability to attend school. Child Welfare Services is usually unable to intervene as it has very specific criteria for opening a case and these situation do not usually meet the threshold.

Admitting a youth to shelter not only assures a safe place to stay, it allows shelter staff to begin the process of addressing the family issues that led to the youth's leaving home. Family counseling can be initiated to facilitate the minor's safe return home and, if that is not in the best interests of the child, alternative housing can be arranged.

This bill grew out of the work of the Safe Shelter for Youth Work Group, established by legislative resolution in 2008. All members of the Work Group agreed that allowing youth to provide consent for shelter was a key action to increase the safety of homeless youth.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH  
Executive Director



1350 S. King Street • Suite 309 • Honolulu, Hawaii 96814 • [www.pphi.org](http://www.pphi.org) • Phone: 808-589-1156 • Fax: 808-589-1404

February 3, 2011

**To:** Chair Suzanne Chun Oakland, Vice Chair Les Ihara and Members of the Senate Committee on Human Services  
**From:** Katie Reardon, Director of Government Relations & Public Affairs, Planned Parenthood of Hawaii  
**Re:** **Testimony in Support of SB 921**

Planned Parenthood of Hawaii (PPHI) supports SB 921, which allows minors to provide informed consent to enter emergency shelters and access services. We believe that emergency shelters are a crucial part of the safety net needed to care for Hawaii's young people.

Young people become homeless for a variety of reasons. According to the National Runaway Switchboard, the most common reason for young people wanting to runaway or actually leaving home, reported in 26% of cases, was conflict at home.<sup>1</sup> Too often parental or guardian consent is unable to be obtained because a parent is unreachable or unwilling to consent, or reaching out jeopardizes the child's safety and wellbeing. Allowing youth better access to shelters helps them access much needed safety and social services.

In the past, the State of Hawaii has recognized the need to protect the health and well being of young people and has passed laws allowing them to receive basic health care<sup>2</sup> and family planning and sexual health care<sup>3</sup> without the consent of a parent or guardian. Passing SB 921 is a logical step forward towards ensuring that Hawaii's youth population receives the care and services needed to stay safe and go on to build productive and healthy lives. Therefore, PPHI asks this committee to pass SB 921.

<sup>1</sup> See Why the Run: An In-depth Look at America's Runaway Youth, National Runaway Switchboard, May 2010, <http://www.nrscrisisline.org/media/whytheyrun/report.html>

<sup>2</sup> See Hawaii Revised Statutes Ch. 577D

<sup>3</sup> See Hawaii Revised Statutes Ch. 577A

**Honolulu Health Center**

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808-589-1149

**Kailua Kona Health Center**

75-184 Hualalai Road, Suite 205  
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808-329-8211

**Kahului (Maui) Health Center**

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(A Maui United Way Agency)



## Hale Kipa

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February 7, 2011

Senator Suzanne Chun-Oakland, Chair  
House Committee on Human Services

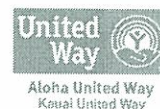
RE: **SB 921**, Relating to Minors (Informed Consent for Emergency Shelter)

My name is Jaque Kelley-Uyeoka, and I am the Deputy CEO-Outreach Services at Hale Kipa, Inc. Thank you for allowing me to testify in support bill, which allows minors to give informed consent for emergency shelter in programs that possess child placing, child care or foster board licensures. We do want to stress our understanding that this bill *does not* allow minors to give informed consent to access current adult homeless or domestic violence shelter services, an exclusion with which we concur.

We are in support of the intent of this bill, which would allow a minor youth to access emergency shelter via the current emergency shelters for youth, without needing immediate parental consent for him/her to stay at the shelter. We currently accept youth who come to our shelter and generally allow them to stay up to 24 hours while we attempt to locate their parents to obtain consent for a longer stay. While a limited number of youth may enter our shelter without caring about the 24-hour timeline for consent, it is more often seen as a barrier to youth coming off the streets for at least the following reasons:

- Most runaway youth, upon hearing a parent will be immediately called, won't even come into the shelter and thus remain on the streets where they are victim to exploitation and may begin to engage in crimes to support themselves.
- Some youth may come in but will run away in the 24-hour span, as there is not enough time to develop relationships with the staff to encourage them to remain in the shelter and work on their issues.
- It often takes longer to contact parents or work through some initial parental denial of consent and allow for a healthier reunification of the youth with their family.

This bill would at least provide youth respite from the streets and/or from a potentially harmful home environment, as well as time to sort out their family situation. It also allows staff to have the opportunity to work with these youth and assist them in returning home or being referred to Child Welfare Services, if warranted.



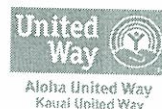
Support of Senate Bill 921  
February 7, 2011  
Page 2.

There are details in this bill that will need more discussion; they include how long the shelter can keep a youth without parental consent, if there are any additional liability issues not yet identified, and if there is a need for monies to ensure that there are enough shelter beds open for this population. This bill, however, reflects a good start in removing some immediate barriers to youth coming off of the run and having a safe place to stay while developing a relationship with staff who can assist them with more appropriate living arrangements.

Again, thank you for the opportunity to express our general support, and please feel free to contact me if you need additional information.

Sincerely,

Jaqueline Kelley-Uyeoka, ACSW  
Deputy CEO-Outreach Services  
Hale Kipa, Inc.



Alex J. Kamanawa-Logan

P.O. Box 390-302

Keauhou, HI 96739

Testimony: Senate Bill No. 921

In support of Consent to emergency shelter and related services

February 8, 2011

My name is Alex J. Kamanawa-Logan and I serve on the Board of Director's for the Hawaii Foster Youth Coalition. I support Senate Bill No. 921 giving the power of consent to minors in need of emergency shelter or related services. In my work with the youth population on both the Island of Hawaii and Oahu I have come across too many circumstances where we as human services professionals want to serve and protect the youth that come to our facilities for assistance but we are unable to provide them with care because we cannot obtain legal consent from their parents or guardians. Adoption of this bill will be the first step in making this possible and I would like to strongly support the Senate on the development of this bill.

Sincerely,

Alex J. Logan

Hawaii Foster Youth Coalition

(808) 430-5551



Committee: Committee on Human Services  
Hearing Date/Time: Tuesday, February 8, 2011, 2:00 p.m.  
Place: Conference Room 016  
Re: Testimony of the ACLU of Hawaii in Support of S.B. 921, Relating to Minors

Dear Chair Chun Oakland, Vice Chair Ihara, and Members of the Committee on Human Services:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support of S.B. 921, Relating to Minors, which will allow for a minor to give informed consent for emergency shelter and related services when he or she does not have a parent or guardian to consent on his or her behalf.

This bill recognizes that many youth needing emergency shelter simply cannot obtain parental consent and should not be required to have it. Children are entitled to similar rights and social benefits as other citizens and should not be denied necessary services and forced onto the streets. By removing potential civil or criminal liability for shelters that are otherwise able to satisfy the emergency needs of runaway or abandoned youth, this bill will provide much needed support to shelters, and, most importantly, to the children who will finally be able to access the help that they need.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 45 years.

Thank you for this opportunity to testify.

Sincerely,

Daniel M. Gluck  
Senior Staff Attorney  
ACLU of Hawaii

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