



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
OFFICE OF YOUTH SERVICES
707 Richards Street, Suite 525
Honolulu, Hawaii 96813

March 18, 2014

TO: The Honorable Karl Rhoads, Chair
House Committee on Judiciary

FROM: David Hipp, Executive Director

SUBJECT: SB 2211, SD2, HD1 Relating to Youth

Hearing: Thursday, March 20, 2014, 2:00 p.m.
State Capitol, Conference Room 325

PURPOSE: The purpose of SB 2211, SD2, HD1 is to coordinate a five-year safe places for youth pilot program which will coordinate a network of safe places where youth can access safety and obtain advice, guidance, programs, and services. It establishes rules that will allow minors to consent to enter the safe places program and provide immunity from liability to safe places providers and other related service providers. The bill also establishes and funds a position for a youth program coordinator.

OFFICE'S POSITION: OYS supports SB 2211, SD2, HD1, Relating to Youth, as it provides for a coordinated network of programs and services for youth. OYS currently procures programs and services across the state to assist youth and their families in navigating through the system in order to engage in needed services through outreach and advocacy. In addition, the OYS funds 24-hour short term residential emergency shelters for youth in crisis. SB 2211, SD2, HD1 would expand our current efforts in ensuring a coordinated continuum of services for youth.

Prevention is a critical component in the juvenile justice continuum of services, and this safe place model, by providing youth access to help, advice and guidance before their problems escalate into possible delinquent behaviors, will serve such a purpose.

Thank you for the opportunity to present this testimony.

SB2211

Submitted on: 3/18/2014

Testimony for JUD on Mar 20, 2014 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Community Alliance on Prisons	Support	No

Comments: Please support this bill that responds to the call of our youth. Creating safe places can make all the difference in the life and development of a young person. Mahalo for this opportunity to support this bill!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Community Alliance for Mental Health

March, 20, 2014

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To: House Committee on the Judiciary
Re: SB 2211, SD 2, HD 1

Aloha Chair Rhoads and the members of the committee,

On behalf of the Community Alliance for Mental Health along with United Self Help we strongly support the passage of SB 2211, SD 2, HD 1.

We believe that the Youth Safe Place concept is brilliant. We also believe that this is because this is what the youth themselves say they need. A safe place they can go to get advice and counselling on the many things that plague our young people. Things they don't feel comfortable discussing with their families and teachers.

Studies have shown that youth between twelve and seventeen are the most likely to run away. Therefore we disagree with the Department of Human Services and their notion that the youth should be limited to ages eighteen through twenty.

We are certain that our young people know what they need. They need sanctuary, they need advice concerning family, school, friends, sex, violence, mental health. The reasons that they feel that they cannot get this advice and counsel at home, school, or church, are not important. What is important is that it be available.

Therefore we strongly support the passage of SB 2211, SD 2, HD 1.

Scott Wall
VP/Legislative Advocate
Community Alliance for Mental Health

HAWAII YOUTH SERVICES NETWORK

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Phone: (808) 531-2198 Fax: (808) 534-1199

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Daryl Selman, President
Judith F. Clark, Executive Director
Aloha House
American Civil Liberties Union of Hawaii
Bay Clinic, Inc.
Big Brothers Big Sisters of Honolulu
Big Island Substance Abuse Council
Blueprint for Change
Bobby Benson Center
Catholic Charities Hawaii
Child and Family Service
Coalition for a Drug Free Hawaii
Courage House Hawaii
Domestic Violence Action Center
EPIC, Inc.
Family Programs Hawaii
Family Support Hawaii
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
Kaanalike
Kahi Mohala Behavioral Health
KEY (Kualoa-Heeia Ecumenical Youth)
Project
Kids Hurt Too
Kokua Kalihi Valley
Life Foundation
Marimed Foundation
Maui Youth and Family Services
Palama Settlement
P.A.R.E.N.T.S., Inc.
Parents and Children Together (PACT)
Planned Parenthood of Hawaii
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
YWCA of Kauai

March 17, 2014

To: Representative Karl Rhoads, Chair
And members of the Committee on Judiciary

TESTIMONY IN SUPPORT OF SB 2211 SD2 HD1 RELATING TO YOUTH

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, strongly supports SB 2211 HD2 SD1 Relating to Youth.

The proposed network of safe places for youth was first conceived by the young people who attended the 2012 Children and Youth Summit at the Capitol in October. It was voted the top priority for legislative action in both 2012 and 2013, indicating its importance to Hawaii's youth.

Senator Chun Oakland then established the Safe Places for Youth Work Group that has met regularly to build the concept into a viable plan that addresses such issues as training, outreach, coordination, criminal background checks, and right to consent for services. More than 120 individuals and organizations have been involved in planning the Safe Place Network.

The Safe Place Network will link together many existing resources for youth and families, such as Boys and Girls Clubs, YMCA/YWCAs, Family Centers and Neighborhood places. It will provide safe environments where adolescents can safely address such issues as peer pressure, unplanned pregnancy, child abuse and neglect, and substance abuse. It will provide young people with ways to deal with problems before they get into trouble and avoid unnecessary arrests for status offenses.

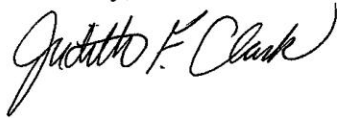
While much of the network is already in place, funding is needed to ensure 24-hour crisis response capability, provide training of youth workers, and ensure coordination of services among the various providers.

The 24-hour crisis response will follow the National Safe Place model, in which community partners, such as fire stations and public bus systems are recruited as places where young people can go in an emergency. It may include local businesses and stores, enabling man them to provide a valuable community service to youth and their families. Staff in those companies are trained and provided with a 24-hour number to call. Workers from the 24-hour site assess the situation and can arrange emergency shelter, make reports to Child Protective Service, or provide other appropriate responses to the situation.

The Safe Places for Youth Network will help youth and families resolve problems before they get out of control.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial "J" and a prominent "C".

Judith F. Clark, MPH
Executive Director



Testimony by Jim Hochberg, HFA
In Opposition to SB 2211 SD 2 HD1
March 18, 2014

DATE: March 18, 2013
TO: House Committee on Judiciary
Rep. Karl Rhoads, Chair
Rep. Sharon E. Har, Vice Chair
Hearing March 20, 2014
2:00 p.m. Room 325
RE: Opposition To SB 2211 SD2 HD 1

Dear Chair, Vice Chair and Committee Members,

BOARD DIRECTORS

James Hochberg, Esq.
*President
Director*

My name is James Hochberg, and I have been a civil rights attorney in Honolulu since 1984. Currently I am also the president of Hawaii Family Advocates, a 501(c)(4) independent expenditure, non-candidate committee.

Shawn Luiz, Esq.
*Vice President
Director*

I am testifying in opposition to SB 2211SD2 HD1.

Sandra Young, Esq.
*Secretary
Director*

According to <http://nationalsafeplace.org/>, the National Safe Place is an outreach program designed to provide access to immediate help and safety **for all youth in crisis.** - See more at: <http://nationalsafeplace.org/#sthash.iJ64fdxi.dpuf> There is nothing in this bill that mentions that the program is for youth in crisis. It is actually for every child in the state that is younger than 21 years old. We do not need to, and should not, create a system to replace the parental role in child rearing for all the keiki in Hawaii when only a small number, that are in crisis, appear to need it from the National Safe Place perspective. Why not include something to assist parents and guardians? Like this: <http://ymcasafeplaceservices.org/for-parents-caregivers/>

Alex Meimer
*Treasurer
Director*

Mary Lou Brogan
Director

A minor is defined in this bill as a child younger than 18 years old. That covers a new born to a person the day before their 18th birthday. Section (d) on the bottom of page 4 continuing on provides that services can be provided to a consenting minor – that again is children of any age and without parental consent or notice. The minor does not have to be in crisis. That is not appropriate. Section (d)(1) assumes that a minor (a child of any age) can understand the issues related to the services and can give an informed consent. Section (d)(2) assumes that a child of any age can understand the rules and requirements of the service provider. How can the service provider, under Section (d)(4) conduct an assessment of the child without the consent of the parents, to make the determinations required by that section?



**Testimony by Jim Hochberg, HFA
In Opposition to SB 2211 SD 2 HD1
March 18, 2014**

Section (e) provides that a minor that is at least fourteen years old can consent to the services. So if a child is not 14 it cannot consent but the service provider can provide the services pursuant to Section (d)?

Section (e)(1) requires “reasonable efforts” to contact the child’s parent, legal guardian, or legal custodian and Section (h) requires the service provider to document in writing the efforts made to contact the parent, legal guardian or custodian. Perhaps a definition of what is required to meet the “reasonable efforts” is appropriate. In addition, the written documentation should be in the form of a sworn affidavit under penalty of perjury. That would protect families. Section (e)(3) allows for the child to refuse to provide parental contact information. That should be changed to require that if a child refuses to provide that information, no services may be provided and instead, the child should be turned over to appropriate existing authorities charged with assuring the safety of children in those circumstances.

Sections (f) and (g) expose the child to abuse by the service provider because even though in all other contexts under the law, the child does not have legal capacity to consent, those standard protections are replaced with the unbelievable status of actually giving capacity to contract for the purposes of this bill. That pure fiction is part of the bill only to protect the service providers from claims after the services are provided. That should not be made a part of the law for this or any other reason.

This bill is an attempt to use children in crisis as an excuse to forge more distance between children and their parents/guardians/custodians. The legislature should be doing everything it can to make it easier for families to raise safe, strong, loving children. Try lowering taxes, lowering the cost of living, creating jobs, reducing regulations and other measures that will assist families to be strong healthy families.

Sincerely,

JAMES HOCHBERG, ESQ.
President

Representative Karl Rhoads, Chair
Representative Sharon E. Har, Vice Chair
Members of Committee on Judiciary
House of Representatives

I am requesting your support for the subject S.B. Relating to Youth - for the establishment of Safe Place Programs in the State of Hawaii.

Safe Places will give youth the ability to access services safely and receive intake/assessment and referral to community resources to youth and for some their families.

The Salvation Army - Family Intervention Services humbly asks passage of S.B. 2211, SD2, HD1 for the establishment and coordination of Safe Place Programs through the Office of Youth Services.

Mahalo nui loa -

Pauline Pavao, Administrator
The Salvation Army - FAMILY INTERVENTION SERVICES
P.O. Box 5085
Hilo, Hawaii 96720-1085
Ph: (808) 959-5855 ext 28 Fax: (808) 959-2301
Pauline.Pavao@usw.salvationarmy.org



Planned Parenthood of Hawaii

To: Hawaii State House of Representatives Committee on Judiciary
Hearing Date/Time: Thursday, March 20, 2014, 2:00 p.m.
Place: Hawaii State Capitol, Room 325
Re: Testimony of Planned Parenthood of Hawaii in support of S.B. 2211, SD2, HD1

Dear Chair Carroll and Members of the Committee on Finance,

Planned Parenthood of Hawaii (“PPHI”) writes in support of S.B. 2211, SD2, HD1, which seeks to create a safe places for youth pilot program. PPHI is dedicated to providing Hawaii’s people with high quality, affordable and confidential sexual and reproductive health care, education, and advocacy and we support the safe places for youth program because it will have a positive impact on the health of our young people.

A safe places for youth program would offer youth easily accessible, safe, and confidential environments where they can deal with issues like peer pressure, unplanned pregnancy, child abuse and neglect and substance abuse. Safe places will afford young people the opportunity to obtain the best information and tools that they need to make healthy and responsible decisions about their life, health, and safety.

Thank you for this opportunity to testify.

Sincerely,
Laurie A. Temple
Director of Public Affairs & Government Relations

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1350 S. King Street, Suite 310
Honolulu, HI 96814
808-589-1149

KAUAI
357 Rice Street, Suite 101
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March 18, 2014

TO: Committee on Judiciary
Rep. Karl Rhoads, Chair
Rep. Sharon Har, Vice Chair

RE: SB2211SD2-Relating to Youth

SUPPORT SB2211 SD2-RELATING TO YOUTH-SAFE PLACES

Dear Representatives Rhoads and Har,

Thank you for the opportunity to allow Hale Kipa to provide testimony in support of this bill. This initiative arose from identified concerns from youth and it allows for existing youth serving agencies as well as community members and establishments to come together to create a real and critical response system for youth needing some direction.

It is a responsible initiative that has proven successful in other States and Hawaii would have the guidance of the National Safe Place in its implementation of the program.

Having the community become more involved in responding to young people and helping them access the information and resources they need is refreshing and exciting.

Please consider passage of this bill. Hale Kipa would be willing to partner with all interested agencies in providing services for the youth.

Sincerely,

Jaque Kelley-Uyeoka, ACSW
Deputy CEO
Hale Kipa, Inc.





PROTECTING HAWAII'S OHANA, CHILDREN, UNDER SERVED, ELDERLY AND DISABLED

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TO: Representative Karl Rhoads, Chair
Representative Sharon E. Har, Vice Chair
Members, Committee on Judiciary

FROM: Scott Morishige, Executive Director, PHOCUSED

HEARING: House Committee on Judiciary
Thursday, March 20, 2014 at 2:00 p.m. in Conf. Rm. 325

Testimony in Support of SB2211 SD2 HD1, Relating to Youth

Thank you for the opportunity to provide testimony **in support of SB2211 SD1**, which would establish a Safe Places for Youth pilot program. PHOCUSED is a statewide coalition of health, housing, and human services organizations committed to strengthening policies and programs that benefit the marginalized and underserved in Hawaii.

Half of Hawaii's juvenile arrests are for status offences, such as running away, truancy from school, or curfew violations. Without appropriate interventions or a safe plan to turn in times of crisis, many runaway youth find themselves at serious risk of homelessness. SB2211 SD1 will establish a network of safe places where youth in crisis can request help, and access the necessary supports and services they need to address their concerns and prevent involvement with the criminal justice system.

A safe places for youth program has great potential to prevent and address youth homelessness in Hawaii. In addition, the proposed Safe Places for Youth program is truly a collaborative community effort, which involves service providers, local businesses, as well as local law enforcement.

Once again, PHOCUSED urges your support of this bill and appreciates the opportunity to submit testimony in regards to this issue.

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DATE: March 19, 2014

TO: Karl Rhoads, Chair, Committee on Judiciary, and Committee members

FROM: Antonia Alvarez, Program Director, Pono Youth Program & Rachel Ferguson, MSW Student Intern, Mental Health America of Hawaii

RE MEASURE #: SB2211, SD2 HD1

HEARING AT: 2:00 p.m., March 20, 2014

Mental Health America of Hawaii, Hawaii's oldest mental health organization in the state, is **IN STRONG SUPPORT** of **SB2211 SD2 HD1**, which establishes a network of safe places for youth to access in times of crisis.

Youth in Hawaii are plagued by various issues such as family problems consisting of abuse, neglect, substance abuse, or mental illness. In addition, with the encompassing world of the internet, bullying has reached peak levels with the pervasiveness of cyberbullying. As such, youth are at greater risk to run away, be truant, abuse substances, and be coerced into human trafficking. Other issues such as teen pregnancy, tobacco addiction, and relationship violence add to the warranted need for youth to have trusted locations they can turn to in times of trouble.

Instead of arresting youth for counts of truancy or running away, we should address the problems causing those behaviors—by providing a gateway to resources and organizations which provide youth more sustainable alternatives.

Hawaii currently stands as only one of nine states in the nation to not utilize a safe places framework, creating a safe haven for youth during immediate crisis. Youth have voiced this as one of their primary concerns for the past two years in a row at the Youth Summit. We must listen to their concerns and create accessible sources of safety within the community.

Thank you for the opportunity to provide this testimony.



March 20, 2014

Representative Karl Rhoads
Chair – Committee on Judiciary
Representative Sharon E. Har
Vice Chair – Committee on Judiciary
Hawaii State Capitol, Room 325
Honolulu, Hawaii 96813

Aloha Chair Rhoads, Vice Chair Har, and Committee Members,

Enterprise Honolulu is in support of SB2211 SD2 HD1 relating to youth as it relates to the shaping of Hawaii's future.

"Safe Places" is a lifestyle in our heritage and that is why I believe people generally consider me a safe place for themselves.

Studies have proven that youth who have developed healthy lives as adults were impacted by at least one significant adult. My hope is that SB2211 SD2 HD1 is a place and a relationship to a healthy future.

Thank you for the opportunity to testify in support of SB2211 SD2 HD1.

Mahalo,

A handwritten signature in black ink, appearing to read "Pono Shim", written in a cursive style.

Pono Shim
President and CEO, Enterprise Honolulu



ENTERPRISE
HONOLULU

THE BUSINESS CLIMATE OF PARADISE

735 Bishop Street, Suite 424, Honolulu, Hawaii 96813 • 808-521-3611
Fax: 808-536-2281 • www.enterprisehonolulu.com

SB2211

Submitted on: 3/19/2014

Testimony for JUD on Mar 20, 2014 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
lola kau	Individual	Oppose	No

Comments: I do not support sb2211/companion HB1790. Public schools already have counselors, teachers, and other adult providers that reach out to children of all needs. This is redundant and exclusive and prevents parents from knowing what is being discussed with their child.

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SB2211

Submitted on: 3/18/2014

Testimony for JUD on Mar 20, 2014 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Smart	Individual	Oppose	No

Comments: Oppose this bill. School is to learn academic subjects not replace/duplicate social services organizations. There have been numerous incidents of teachers sexually abusing children they were supposed to be helping. The explicit (at least soft porn) sex education courses allowed in school (Pono Choices/Making Proud Choices) are making children even more vulnerable to "authority figures" who could take advantage of them. Will the safe place be somewhere a Christian can go to be protected from the bullying directed toward them? The national anti-bullying czar, Dan Savage, can be seen on youtube bullying Christians. How can we have any confidence the local school safe place would be any different from a national spokesperson? School should not be a social services provider. School need to improve their results regarding the education of children. They are failing in the primary mission they have. Now isn't the time to expand school's mission. Any school official who isn't specifically authorized by the child's parent should have no interaction with the child on any thing other than academic topics. It is up to the parent to seek any outside help and to determine the best source of that help. A student may not have the maturity to seek help from sources who have their best interest as a priority. Vote against SB2211 as amended and any other version of this flawed concept. No funds should be allocated for this program.

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**To: Representative Karl Rhoads, Chair,
Representative Sharon E. Har, Vice Chair
and Members of the House Committee on Judiciary**

Re: SB2211 SD2 HD1 / HB1790

With all due respect, I am writing to urge you to oppose this bill SB2211 for a number of reasons.

SB2211, at first glance appears to be an act of compassion. The prospect of young innocent children being abused at the hands of parents, relatives or family friend is heartbreaking. Even more so when the news reports a death at the hands of that parent or caretaker.

However my concern is:

- ◇ Who is the servicer provider they keep referring to? Who will choose them, back ground checks? will this information be public?
- ◇ The bill talks about programs and services including guidance and counseling for suicide prevention, teen pregnancy prevention, etc. ... who will be doing this counseling?

As for bullying! That is something that is intolerable regardless who is the target. It's cruel, destructive, and dangerous and may reflect a problem at home for the bullier. The targets are vast and may include those adolescents that are overweight 65%, some that have some sort of disability 85%. To target a select group as more protected than others, send the wrong message. All are worthy to be protected equally.

◇ I can't help but think about programs like "Pono Choices" and "Common Core." My concern is that are we taking them out of one dangerous situation only to hand them over to another more or equally nefarious one. At this point these young people are vulnerable.

◇ I want to be sure this isn't a progressive impingement on parent's rights? I am not talking about abusive parents or guardians, what safe guards are in place and again by who?

◇ Is Planned Parenthood, Southern Poverty Law Center involved? Again, I am sure many of us would like to know who is involved in this program!

In closing I say we need more transparency and open honest discussion before a decision is made and so strongly urge this bill to be tabled.

Sincerely,
Rita Kama-Kimura
District 36

SB2211

Submitted on: 3/18/2014

Testimony for JUD on Mar 20, 2014 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Brett Kulbis	Individual	Oppose	No

Comments: I oppose SB-2211 in any form. I believe the best and most effective policies are those that (1) protect children by strongly prohibiting bullying of any kind against any child for any reason, (2) respect local control, allowing school officials and parents to develop solutions that best meet their particular school's needs, and (3) do not unnecessarily politicize or sexualize the issue in a way that undermines parental rights and students' religious freedoms. This bill is nothing more than a back door attempt by GLSEN to normalize the deviant behavior associated the homosexual lifestyle.

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To: Representative Karl Rhoads, Chair, Representative Sharon E. Har, Vice Chair, and members of the House Committee on Judiciary

Date: Tuesday, March 20, 2014 Time: 2:00 p.m. Location: Conference Room 325

From: Roxanne Cafaro, Masters of Social Work Student, The University of Hawaii at Manoa

Re: SB 2211 SD2 HD1 Relating to Youth - **SUPPORT**

Representative Karl Rhoads, Chair, Representative Sharon E. Har, Vice Chair, and members of the House Committee on Judiciary:

Thank you for considering my testimony in strong support of SB 2211 SD2 HD1 Relating to Youth.

SB 2211 SD2 HD1 calls for the Office of Youth Services to coordinate a five-year safe places for youth pilot program, which will establish a network of safe places across the island where youth can access services. The safe places program was identified as a high priority at the Children and Youth Summit in both 2012 and 2013.

The program is specifically intended to provide safety to runaway and homeless youth. It will link existing community resources for a collaborative approach, as well as create a 24-hour crisis response team. Often youth run away due to family problems such as abuse, neglect, and conflict. Some may be struggling with pregnancy, mental illness, or substance use disorders. The safe places program is intended to target these young people. By providing them and their families with appropriate services, the safe places program will aim to reduce youth runaways and homelessness.

Currently, half of Hawaii's juvenile arrests are for status offences such as running away, truancy, or curfew violations. The safe places bill will decriminalize the status offense of running away. Safe places service providers will not be required to report youth as runaways, and will be immune from any liability. This will be beneficial to youth, the community, law enforcement, and the juvenile justice system. By providing vulnerable youth with services and supports, rather than arresting them, we will free law enforcement resources and minimize involvement in the juvenile justice system.

The safe places model has been implemented successfully in other states and has been shown to reduce homelessness and juvenile justice involvement. As a masters level social work student who currently works with homeless and runaway youth I believe the safe places program will strengthen our youth, our ohana, and our community.

Thank you for considering my testimony.

Regards,

Roxanne Cafaro

SB2211

Submitted on: 3/18/2014

Testimony for JUD on Mar 20, 2014 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Duffy	Individual	Oppose	No

Comments:

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TESTIMONY ON SB 2211, SD 2, HD 1 RELATING TO YOUTH
BEFORE THE HOUSE COMMITTEE ON JUDICIARY

March 20, 2014

2:00 pm

Conference Rm. 325

Aloha Chair Rhoads, Vice-Chair Har, and members of the House Committee on Judiciary. My name is Stephen Morse and I am the Executive Director of Blueprint for Change. I am here to testify in **support of SB 2211, SD 2 Relating to Youth**, particularly as it relates to the establishment of a coordinator position as well as the implementation of a pilot program where youth have access to various support services, resources, guidance, and advice where as they otherwise would not have anywhere to go and no one to turn to in times of crisis.

Providing these types of intervention services and resources were identified as a priority by Hawai'i's youth in both the 2012 and 2013 Children & Youth Summit sponsored by the Legislative Keiki Caucus. After the Summits, the Keiki Caucus formed the Safehouse Working Group to explore alternatives to establishing a safehouse for youth system in Hawaii. The Working Group found that many of the needed safehouse services are already being provided by existing social service organizations, but there was a need to better coordinate a safehouse continuum of services and find better ways to communicate available safehouse resources to children and youth. Of major importance to working group members was the concern expressed that youth who run away from abusive home or school environments are often afraid to seek help for fear of being arrested; and that therefore, there is a need to de-criminalize the efforts by youth to seek help.

Of special concern to us should be the need for a coordinated safehouse system in remote, rural areas of the State where youth are often underserved. In January of 2012, the Director of our Neighborhood Place of Puna reported that a young, 7th grade girl began dropping into the office, located directly across the street from Pahoa School, sporadically over a period of 2 months. After 2 months, she began coming every day and often during school hours. It turns out that besides having a poor home environment, the girl was being bullied at school. NP staff believed the bullying was the result of the girl's ambiguity about her sexual identity. Eventually, NP staff was able to work with Pahoa School counselors to get the girl additional services she needed, but it was a difficult process because of the lack of services in lower Puna.

I am again, strongly in support of SB 2211, SD 2, HD 1 Relating to Youth. Mahalo for the opportunity to testify morning.

SB2211

Submitted on: 3/19/2014

Testimony for JUD on Mar 20, 2014 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Edie Pasion	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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To: Representative Karl Rhoads, Chair
Representative Sharon E. Har, Vice Chair
Members of the House Committee on Judiciary

From: Kailua, HI

Hearing: SB2211

My name is Fern Mossman and thank you for the opportunity to provide testimony in opposition to SB2211. I am writing to urge you to oppose this bill. My opposition is not because I am in favor of children being bullied, nor is it because I do not want children to be safe. No rational person is in favor of seeing children victimized. In fact, I think most people would support fair and objective anti-bullying policies that reflect the widespread nature of the problem. However, this bill to establish safe places for youth does not do that.

Firstly I would like to get some factual data regarding the details of this proposal. The bill is copied below with my questions highlighted. In its present form, this bill is too vague to make me convinced that it warrants support.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1.

At the end of the summit, participating youth (what youth? How many? Who were they and what ages?) identified the need for safe places as one of their highest priorities.

Therefore, the purpose of this Act is to:

(1) Require the office of youth services to coordinate a five-year safe places for youth pilot program, to coordinate a network of safe places which youth under the age of twenty-one can access for safety and to obtain advice, guidance, and access to programs and services;

(2) establish the position of safe places for youth program coordinator;

(3) Establish rules to allow minors to consent to enter the safe places for youth program; and

(4) Appropriate funds for the safe places for youth program coordinator position and residential options for the pilot program.

SECTION 2. *(a) Beginning on July 1, 2015, the office of youth services shall implement a safe places for youth pilot program in partnership with private organizations. (In partnership with what "private" organizations? GLSEN?) The primary objective of the pilot program shall be to coordinate a network that youth may access for safety and to obtain advice, guidance, and access to programs and services. All youth under the age of twenty-one are eligible for the program's services.*

(b) There is established the position of safe places for youth program coordinator. The coordinator shall:

(1) Coordinate the safe places for youth network;

(2) Partner with an entity **(and who might this be?)** to maintain an updated listing of safe places statewide;

(3) Provide ongoing training of school personnel, community members, and service providers designated as safe places for youth; **(what does this mean? We don't know how to be safe?)**

(4) Partner with the department of education, (if the schools are not safe then shut them down) Hawaii state student council, peer education programs, private schools, and other youth services organizations to build awareness of the safe places for youth network; and

(5) Convene an annual meeting of safe places for youth service providers and other interested parties to identify emerging needs, provide feedback on program effectiveness, and provide an opportunity to recommend improvements to the pilot program.

So an effective policy should be designed to address the widespread nature of the problem; it should not be a policy that mirrors, or is designed to appease, a narrow political agenda. But unfortunately, in too many schools and legislatures across the land, just the opposite is occurring—homosexual advocacy groups have introduced materials and policies that go way beyond the realm of safety prevention into political advocacy, adult identity politics, and even indoctrination.

This bill was unnecessary because the state already has laws that sufficiently dealt with bullying and they just need to be enforced.

Social engineering activists could easily use this bill as leverage to push homosexuality-themed life style and curricula in schools. We see this happening in “Pono” Choices and other bias programs on the side lines.

GLSEN is the nation’s largest gay-activist group focusing on getting its message into public schools. GLSEN is currently advocating federal legislation called the *Safe Schools Improvement Act*, which would force many public schools to insert references to “sexual orientation” and “gender identity” into their policies. GLSEN also recently issued a press release asking educators to use its recommended book list as assigned “safe” school reading for kids. The problem is, several of the books on this list are not only extremely sexually graphic—but they also contain negative, even mocking, portrayals of people with conservative and faith-based viewpoints.

(We’ve documented these concerns at TrueTolerance.org).

These concerns were not hypothetical: In a document entitled “A Look at Laws & Policies That Support Welcoming Schools,” the Human Rights Campaign has singled out states that have “Safe School Laws” and “Policies against Harassment and Bullying” as places that may be more open to its curriculum.

I don’t want to wait until inappropriate material gets into classrooms, or my child’s hands.

We need to recognize that bullying and peer abuse is wrong and should be stopped and prevented. But this can and should be done without politicizing the classrooms and introducing controversial, sexual topics to children.

The emphasis should be on the wrong actions of the bullies, not on their perceived thoughts or perceived motivations or excuses. We don't want bad government policies to turn our school officials into politicized, thought-crimes police.

Policies that single out certain characteristics are counterproductive. Again, they put the focus on the wrong place—on the characteristics of the victim—rather than where the focus should be, on the wrong actions of the bullies. Plus, listing certain categories creates a system ripe for reverse discrimination, sending the message that certain characteristics are more worthy of protection than others. Instead of bringing more peace and unity, this can politicize the school environment and introduce divisiveness among different groups of students and parents.

Also, the more categories that are listed, the more schools increase their vulnerability to expensive lawsuits, especially when policies contain unclear or overly broad definitions.

Why not emphasize instead, the things we have in common as Americans? We can unite around the teachings of our Founding Fathers—in particular, the principle that all men are created equal and that they are endowed with unalienable rights. And therefore, all people, no matter what their sexual identities are or what particular beliefs they hold, are entitled to the same basic rights as other citizens, including the right to life and pursuit of happiness.

So this bill is supposedly about a "safe environment", but look at the sponsors of this bill. Who benefits from this bill? Who is going to get funded for this project? Where is the money going to come from? Who will decide who gets what?

The bottom line, from both a spiritual and physical perspective, is that we simply cannot afford to turn a blind eye to what some 55 million children are experiencing in taxpayer-funded schools today.

The term "safe zones" is a psychologically devious push by homosexual activists to get into the minds of vulnerable schoolchildren in public schools.

Please do not vote for this bill.

Sincerely,
Fern Mossman

March 17, 2014

To: Mr. Karl Rhoads, Chair
House Committee on Judiciary

From: Maile Sur, student at Kamehameha Schools Maui

Subject: SB 2211 SD2 HD1, Relating to Youth

Hearing: Thursday, March 20, 2014; 2:00 p.m.
State Capitol, Conference Room 325

Aloha,

My name is Maile sur, and I am currently a junior at Kamehameha Schools Maui in Pukalani, Maui. I strongly support SB 2211, and would like to ask for your support. The purpose of SB 2211 is to create safe places for Hawaii's youth. Being a teenager, I see firsthand, the issues and problems teens face. In the 2013 Child Welfare League of America report, it stated that in 2011, 1,346 children were victims of abuse or neglect. In the same report, about 3,000 children ages 12-17 in the years 2009-2010, needed, but didn't receive treatment for drug use and 5,000 didn't receive treatment for alcohol use.

It is clear that many of Hawaii's children and teens are at risk, but aren't getting the right help. Senate Bill 2211 is just the solution to Hawaii's problem. Though I understand that the opposition to this bill is that teens are making these decisions on their own, the opposition doesn't see the fact that in most cases, these at risk youth are usually cornered or pressured into the negative choices.

This past year, my best friend, got stuck in a very bad place. After moving to Oahu from Maui, she felt like she had no one, and turned to older guys and men for comfort, because they were the only ones reaching out a hand. She turned to drugs and alcohol, and skipped school for the first week. Her dad called me scared out of his mind because she had run away from home. In this situation, all she needed was a safe place, or someone safe, to lend a hand and help her out. She needed a place to go, or someone to say, "I'm here for you, you're safe." Once she finally returned to school, she was required to take a drug test, which almost got her expelled from school. After finally realizing all of the pain, and hurt she put herself and her family through by pushing them away, she set out on the right path.

But do we have to wait for Hawaii's youth to go through the bad, before finding the good? Shouldn't there be programs and resources already set in place so that Hawaii's youth doesn't need to go through that?

Hawaii's youth need easy accessibility to safe places where they can go without fear of being harassed, bullied or pressured into things they don't want to do. And rather than accusing them of making "bad decisions," shouldn't we help them out? It is our state's responsibility to be there for these children and teens, and with the resources we have to do so, I don't see why this bill hasn't been passed yet.

Thank you for your time and consideration, and I truly hope that you will support Senate Bill 2211.

Aloha,

Thank you for this opportunity to provide testimony in opposition to SB2211.
I am writing to urge you to oppose this bill.

This bill is not necessary and brings outside forces into the state - more people telling us what to do.

Of course I want our children to be safe and not to be bullied, but we already have many organizations in place to handle these situations.

Duplicating these structures, spending a lot of additional money and bringing mainland people in to tell us what to do without even looking at what we are already doing is wrong.

Again I urge you to oppose this bill.

Thank you for your consideration.

Linda Kramer
Manoa

SANDRA G. Y. YOUNG

Attorney at Law

P.O. Box 2897

Aiea, Hawaii 96701

Telephone: (808) 487-8464

Date: March 19, 2014

To: House Committee on Judiciary

Re: Opposition to SB 2211 SD2 HD 1

Dear Chair Rhoads, Vice Chair Har and Members of House Judiciary Committee:

I am a family law attorney, and possess a graduate degree in Counseling and Guidance with a focus on children. I oppose SB 2211 for the following reasons.

1. There are laws, regulations and mechanisms already in place to protect children from abuse, neglect and bullying. In an abuse or neglect case, a child may simply call the police, talk to their teacher/school counselor, Child Protective Services or other authority figure. They can also talk to another family member to see if another relative would be willing to take legal action on their behalf, such as filing a petition for guardianship or be placed in foster care. Children who are bullied can report the bullying to their teacher, counselor, principal, coach or other person in authority. These adults should be adequately trained to address these issues, and protect/help the victim and deal with, counsel and/or discipline the bully. If a child is struggling with alcohol or drug abuse, pregnancy or other issue, he or she can see a school counselor. In such cases, the parents should be notified and involved in helping their child. If there is a shortage of school counselors, the number should be increased.
2. The bill undermines parental rights and creates an escape for children who habitually make destructive choices. Children who habitually engage in destructive behavior may enjoy an option of a "Safe Place." Some of them get in trouble with an authority figure or their parents because of their behavior: skip school, abuse drugs and alcohol, do not want to listen to their teachers or parents, refuse to complete homework assignments, refuse to do chores, abuse a younger child or even the parent, use excessive profanity, refuse to abide by parental curfews and rules, watch excessive television or play too many video games, steal, violate the law, and so forth. By giving these kinds of children a "safe place," there will be no discipline or consequences for their destructive behavior, and little reason to change.
3. A Court Order should be required in all circumstances in which a third party makes decisions belonging to a parent. Parental rights should not be subordinated to the authority Office of the Youth, some employee, or other state department without a court order. I believe it is an unconstitutional usurpation of the rights of a parent. Court orders are required for a state agency such as the Child Protective Services to have custody of a child.

Giving the Court authority and sufficient funds to address very serious problems with youth who are already engaged in destructive behavior ensures a holistic approach to the problem, including obtaining help for the parents and the youth, bringing about reconciliation between the parent and the child, and ensuring that both the parents and the child are given a fair opportunity to address the

issues and correcting maladjusted behavior on the part of the parents and child.

4. Are there sufficient funds to meet the demands of this pilot project and adequately fund existing programs that currently serve high risk youth? With a shortage of over \$400,000,000 in the State budget, will the State be able to adequately take care of high risk youth under its current programs? Do we have sufficient school counselors? Are there sufficient resources for mental health treatment and outpatient support? Have you funded Family Court's request for additional judges and staff? Is Child Protective Services adequately funded to address issues relating to abuse and neglect?

If not, may I suggest that the Legislature provide sufficient funding for high risk youth under the existing programs. Safe Places appears to be funded by the taxpayer. Parents are required to support their children. It is unwise to place the financial burden on the taxpayer, rather than on the legal parent. Also, where many high-risk youth are already in need of treatment, care and residential facilities, but are denied that opportunity because of funding issues, it compounds the problems of neediest children in our community.

Although well-intentioned, for the reasons mentioned above, I urge you to vote no on this bill. Thank you for putting high priority on Hawaii's keiki.

Sincerely yours,

Sandra Young

**TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) IN SUPPORT OF S.B. NO. 2211, SD 2, HD 1**

LATE

March 20, 2014
2:00 p.m.

To: Chairman Karl Rhoads and Members of the House Committee on Judiciary:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) in Support of S.B. No. 2211, SD 2, HD 1.

HAJ is in support of the concept of developing a program to provide safe places for youth. Initially, HAJ was opposed only to the immunity provision in the original bill which was deleted in the SD 2.

Thank you for the opportunity to testify and submitting these comments.

LATE

LATE

SB2211

Submitted on: 3/20/2014

Testimony for JUD on Mar 20, 2014 14:00PM

325

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Poulos	Individual	Oppose	No

Comments: Honorable Senators, I am opposed to SB2211, the creation of "safe places" for youth. We already have in place organizations that protect children from abuse - CPS, schools, and systems to prevent bullying. Why do we need more? These safe places will create further divides between parents and children, prevent parents from raising and caring for their children. We need programs that strengthen the family, not ones the promote greater independence of children from their families. Please oppose SB 2211 Mahalo, Lisa Poulos

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Testimony against SB 2211

March 19, 2014

To: Chair Rhoads, Vice Chair Har, and House Judiciary Committee members
From: Sue Felix
Subject: Strong opposition to SB 2211 (safe places for youth program)

Dear Chair Rhoads, Vice Chair Har, and House Judiciary Committee members,

I strongly object to SB 2211, which proposes to “Establish rules to allow minors to consent to enter the safe places for youth program.” I request that you do not forward this bill for further action.

This legislation would give an inordinate amount of power to the “safe places for youth program coordinator” and to the network of service providers under his or her auspices.

By permitting minor teens to enter into binding agreements with the service providers, this bill sabotages the right and duty of parents to supervise and guide their children, and to rightfully make decisions of care for them. It is extremely unfortunate that the lawmakers who drafted this bill have excluded any intent for service providers to work in conjunction with parents, or toward strengthening family relationships. It will divide families because it enables minors to disregard the natural authority of their parents. Also, minors potentially will be subjected to unwanted political and other agendas of the service providers, without the approval of or participation by the minors’ parents.

In sections 2(f) and 2(g), our lawmakers seem to be re-writing contract law, which does not recognize the enforceability of contracts entered into by minors:

2(f): Any consent given by a minor to a service provider shall be valid and binding for the duration of the period with respect to all services, as if the minor had reached the age of majority.

2(g): The consent given by the minor to the service provider shall not be subject to later disaffirmance by reason of the minor’s minority.

Children do not have a legal ability to negotiate contractual terms or conditions. Teens will not truly know what they are consenting to, no matter what a service provider subjectively believes. This bill doesn’t use the word “contract” yet the word “valid and binding” absolutely FORCES the minor to enter a “contract” with the service provider. A teen would have no meaningful choice as to the terms of the service agreement and obviously would be an unequal party in this contractual situation.

There is no provision in SB 2211 to protect a minor from being taken advantage of by unscrupulous service providers in the network who have their personal agendas, such as those whose values align with the agendas of Planned Parenthood and GLSEN-supported groups. Teens who either cherish or are uncertain about their moral values will be vulnerable to undue pressure to change their values.

Significantly, it seems parents might need to engage the courts in order to invalidate the “binding” service agreements entered into by their children. This legislation gives a service provider the power and authority to subjectively determine that the minor is being “harmed.” In fact, in section 2(e)(2), allows the minor to agree to the services if:

The service provider has made contact with the minor’s parent, legal guardian, or legal custodian, and the minor’s parent, legal guardian, or legal custodian has refused to give consent and, based on the information available to the service provider, the service provider reasonably believes that the minor would incur harm, or would be subject to threatened

harm, if the minor returned immediately to the home of the parent, legal guardian, or legal custodian...

In other words, the whims of a child and of the service provider trump the rights of a parent to parent, based on arbitrary definitions of "harm", even in non-emergency situations.

Section 2(C) states "The safe places for youth pilot program shall provide access to and linkage with services and programs needed by youth..." It should not be up to any service provider or network of programs to arbitrarily decide how a child's needs should be addressed. They are not the parents, who ARE responsible and who should not be statutorily excluded in making these decisions.

This program will enable teens to take advantage of "the system." For example, if a defiant teen is grounded by mom or dad, he or she only has to claim feeling unsafe to be taken under the wings of a service provider. Be assured, defining "safety" or lack of it will become increasingly subjective, at the expense of family unity and autonomy. Are our lawmakers really naive to the fact that some teens lie and manipulate? Apparently, parents are assumed to be "guilty as charged" and have no say about the services their minor children might consent to.

The safe places program is to provide services for an umbrella of situations (listed in section 2(c)), both emergency and non-emergency. This is wrong. If it is even suspected that a minor is being subjected to violence or criminal acts such as human trafficking, is dealing with bona fide emotional trauma, or is suicidal or has suicidal ideations, statutory structures are already in place to tend to the needs of the minors involved. Any service provider under the auspices of the program is required by statute to immediately contact Child Protective Services or to call for emergency mental health care. It would be absolutely inappropriate for service providers to take it upon themselves to obtain consent for services from minors in these emergency situations.

School and church programs, and other community organizations already exist to provide services to minors for the other targeted needs or services listed in this bill (which are: resources targeted at teenagers including teen pregnancy prevention; tobacco use cessation; alcohol and substance abuse support; behavioral health counseling and education; assistance for youth to achieve their educational and vocational goals; dating violence prevention; and other relationship-building and life skills).

It is obvious to me that this is an agenda-driven bill, and yet another act of a "nanny state" in which government officials believe they can "parent" better than parents. **THIS BILL IS NOT A SAFE BILL.** It is an end-run maneuver to institutionalize unwanted values, deceptively targeting our children under the guise of "safety." If there were true respect toward voters and transparency on the part of lawmakers toward their constituents, then more parents would know about this legislation – and they would be opposing it. Parents who want safety and appropriate services for their teens have no good reason to trust the proposed safe places program.

This legislation will pit the service coordinator and the minor **AGAINST** the parents of the minor, instead of working toward resolution of family conflict or supporting the parents in their efforts to tend to their children's needs. Instead of funding programs which can divide families, erode family values in favor of the agendas of the service providers, and further confuse and destabilize our youth, I would suggest that our lawmakers fund programs which better address the more urgent needs of our youths while respecting and working with parents. One such program is Sanctuary (<http://www.sanctuaryguam.org/services.html>), an organization in Guam for teen runaways, teens using drugs and alcohol, and teens in conflict with their families -- it works in conjunction with the parents and does not usurp their rights.

Sincerely,
Sue Felix, MSW

Stephenie Moderow 205 Kaha St Kailua HI 96734

We OPPOSE SB 2211....

LATE

SB 2211, SD2, HD1
(HSCR957-14)
Status

RELATING TO YOUTH.

Requires the office of youth services to coordinate a five-year safe places for youth pilot program to establish a network of safe places where youth can access safety and services. Establishes the position of safe places for youth program coordinator. Allows minors age fourteen and older to consent to enter the safe places program. Makes an appropriation. Effective July 1, 2050. (SB2211 HD1)

The potential for abuse and misuse is too great. Investigations should take place first to ensure a home is not safe before entry to a Safe House is approved. I don't want my tax dollars paying for the rebellious whim of a 14-year old. I also feel bullying in the schools should be a priority and sound programs to arrest this trend should be enhanced. This Bill would encourage the break-up of families unnecessarily. After investigation, children should be removed from their Abusive parents, if, indeed, it is shown that abuse and safety issues exist.

Stephenie Moderow
Kurt H. Mauer

Keith Schultz 205 Kaha St Kailua HI 96734

I OPPOSE SB 2211.....

LATE

SB 2211, SD2, HD1
(HSCR957-14)
Status

RELATING TO YOUTH.

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Keith Schultz