



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

March 28, 2014

TO: The Honorable Sylvia Luke, Chair
House Committee on Finance

FROM: David Hipp, Executive Director

SUBJECT: SB 2211, SD2, HD2 Relating to Youth

Hearing: Friday, March 28, 2014; 2:00 p.m.
State Capitol, Conference Room 308

PURPOSE: The purpose of SB 2211, SD2, HD2 is to coordinate 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.

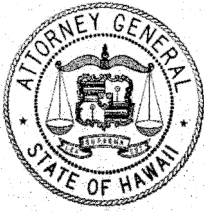
OFFICE'S POSITION: OYS supports SB 2211, SD2, HD2, Relating to Youth, as it provides for a coordinated network of programs and services for youth. OYS currently procures programs and services across the state to assist youth and their families in navigating through the system in order to engage in needed services through outreach and advocacy. In addition, the OYS funds 24-hour short term residential emergency shelters for youth in crisis.

SB 2211, SD2, HD2 would expand our current efforts in ensuring a coordinated continuum of services for youth. As this is a pilot program, we estimate the number of youth who may access this program in each county to be very conservative based on our experiences. We anticipate the cost to serve the youth in need/crisis to be \$460.00 per youth. Additional costs to the program include start-up (training and travel), personnel (1 FTE Program Coordinator) for a five year pilot program, and carry over funds for each county as we expand from county to county over the four

year period beginning with Oahu. The approximate cost for Safe Places for a five-year period is estimated at \$775,000.00.

Prevention is a critical component in the juvenile justice continuum of services, and this safe place model, by providing youth in crisis 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.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SEVENTH LEGISLATURE, 2014**

ON THE FOLLOWING MEASURE:

S.B. NO. 2211, S.D. 2, H.D. 2, RELATING TO YOUTH.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE: Friday, March 28, 2014

TIME: 2:00 p.m.

LOCATION: State Capitol, Room 308

TESTIFIER(S): David M. Louie, Attorney General, or
Blair Goto, Deputy Attorney General

Chair Luke and Members of the Committee:

The Department of the Attorney General provides the following comments.

The bill would establish a five-year safe places for youth pilot program, establish the position of safe places for youth program coordinator, and appropriate an unspecified amount of general revenues for fiscal year 2014-2015 to carry out the pilot program.

The bill creates legal ambiguity by way of its use of the terms "youth in crisis" and "youth." As defined on page 8 of the bill, lines 18-20, "youth in crisis" means, in part: "a person who is at least fourteen but less than twenty-one years of age experiencing a crisis situation" Pursuant to section 577-1, Hawaii Revised Statutes, when persons residing in the State have reached the age of eighteen years, they are of legal age and their period of minority shall have ceased.

Accordingly, those "youth in crisis" who are eighteen to twenty-one years of age are legal adults and are generally capable of consenting independently to receive program services. Section 2(d), (e), and (f) of the bill, page 5, line 7, through page 7, line 13, create a limited right for youth in crisis who are less than eighteen years of age to consent independently to receive program services. On page 7 of the bill on lines 14-16, section 2(g), however, requires service providers to "document in writing the efforts made to contact the parent, legal guardian, or legal custodian of the youth in crisis."

Because it is not limited to those youth in crisis less than eighteen years of age, section 2(g) would require documentation of efforts to contact a parent, guardian, or custodian even for those youth in crisis who are of legal age and are able to consent independently. Adding the

wording "less than eighteen years of age" to the end of section 2(g) on page 7, line 16, will resolve the ambiguity.

In an analogous fashion, adding the wording "in crisis" to section 2(i) on page 8, at the beginning of line 3, will clarify that the Office of Youth Services is mandated to coordinate a comprehensive network of safe places for youth in crisis as opposed to assisting all youth.

We respectfully ask the Committee to make the recommended amendments if the bill is to pass.

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

March 28, 2014

2:00 p.m.

To: Chairperson Sylvia Luke and Members of the House Committee on Finance:

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 2.

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 and not included in the HD 2.

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

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

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

Web site: <http://www.hysn.org> E-mail: info@hysn.org

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
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Family Support Hawaii
Hale Kipa, Inc.
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Hawaii Behavioral Health
Hawaii Student Television
Healthy Mothers Healthy Babies Coalition
Hina Mauka Teen Care
Hui Malama Learning Center
Kaanalike
Kahi Mo'hala 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 25, 2014

To: Representative Sylvia Luke, Chair
And members of the Committee on Finance

TESTIMONY IN SUPPORT OF SB 2211 SD2 H2 RELATING TO YOUTH

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

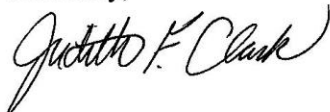
While much of the network is already in place, funding is needed to ensure 24-hour crisis response capability, provide training of youth workers, and ensure coordination of services among the various providers.

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 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 goal of a Safe Place intervention is to ensure the immediate safety and well-being of the youth, and to work with the youth and family to resolve the issues that led to the youth leaving home. The Safe Places for Youth Network will help youth and families resolve problems before they get out of control - before the young person becomes so desperate that he or she commits a crime, is forced to live on the streets, or makes a suicide attempt.

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, stylized initial "J".

Judith F. Clark, MPH
Executive Director



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

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TO: Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair
Members, House Committee on Finance

FROM: Scott Morishige, Executive Director, PHOCUSED

HEARING: **Friday, March 28, 2014 at 2:00 p.m. in Conf. Rm. 308**

Testimony in Support of SB2211 SD2 HD2, Relating to Youth

Thank you for the opportunity to provide testimony **in support of SB2211 SD2 HD2**, 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 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.

finance8-Danyl

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 8:27 AM
To: FINTestimony
Cc: kat.caphi@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

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

Comments: Community Alliance on Prisons supports establishing a safe place program for youth. Please support this measure that is a top priority for our youth. Helping our youth navigate the sometimes bumpy road of life will reap plenty benefits for all! Mahalo nui!

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, 28, 2014

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To: House Committee on Finance
Re: SB 2211, SD 2, HD 2

Aloha Chair Luke 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 2.

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 2.

Scott Wall
Vice President for Policy
Community Alliance for Mental Health

[
]

hale `opio kaula'i, inc.

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March 25, 2014

To: Representative Sylvia Luke, Chair
And members of the Committee on Finance

TESTIMONY IN SUPPORT OF SB 2211 SD2 H2 RELATING TO YOUTH

I urge you to support a Safe Place program as requested by young people at the Children and Youth Summit in October 2012 and again in 2013. Nationally, Safe Places connect young people in need of support and resources to knowledgeable staff and programs in a timely fashion.

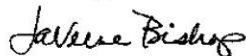
As more youth and families require information and guidance during the adolescent years, having trained personnel in identified community Safe Places to connect youth to appropriate resources prevents escalating troublesome behavior, addresses youth personal safety, and promotes communication and problem-solving.

Providing Safe Places to guide youth to appropriate services facilitates utilization of community resources, and swift responses to family and other issues.

I urge you to support this opportunity to establish a coordinated community effort to guide runaway and youth in other vulnerable situations, and youth reaching out for information and resources to programs equipped to provide a credible response.

Thank you very much.

Sincerely,



LaVerne Bishop
Executive Director



Planned Parenthood of Hawaii

To: Hawaii State House of Representatives Committee on Finance
Hearing Date/Time: Thursday, March 28, 2014, 2:00 p.m.
Place: Hawaii State Capitol, Room 308
Re: Testimony of Planned Parenthood of Hawaii in support of S.B. 2211, SD2, HD2

Dear Chair Luke and Members of the Committee on Finance,

Planned Parenthood of Hawaii writes in support of S.B. 2211, SD2, HD2, 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

HAWAII FAMILY ADVOCATES

Testimony by Jim Hochberg, HFA
In Opposition to SB 2211 SD 2 HD2
March 25, 2014

DATE: March 25, 2013
TO: House Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
Rep. Aaron Ling Johanson, Vice Chair
Hearing March 28, 2014
2:00 p.m. Room 308
RE: Opposition To SB 2211 SD2 HD 2

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Dear Chair, Vice Chairs and Committee Members,

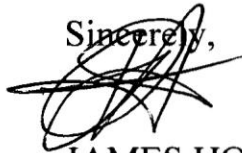
My name is James Hochberg, and I have been a civil rights attorney in Honolulu since 1984. Currently I am also the president of Hawaii Family Advocates, a 501(c)(4) independent expenditure, non-candidate committee.

I am testifying in opposition to SB 2211SD2 HD2.

This bill ignores a complete half of the equation involved when teens run away. Sometimes it is actually the teen that is the problem. There is a national program called "Step-Up" which is a nationally recognized domestic violence counseling program for teens that have been violent with family members. The goal of Step-Up is for youth to stop using violent behavior and to replace abusive with respectful behavior so that all family members feel safe at home. Please see the attached information and include both Safe Places and Step-Up in this bill for a more holistic approach to the problem of teens running away. Also attached please find a page from the YMCA Safe Places website that provides services to help parents and guardians:

<http://ymcasafeplaceservices.org/for-parents-caregivers/>

Sincerely,



JAMES HOCHBERG, ESQ.
President

About Step-Up

What is the Step-Up Program?

Step-Up is a nationally recognized domestic violence counseling program for teens that have been violent with family members. Violent behavior includes threats, intimidation, property destruction, degrading language and physical violence. The goal of Step-Up is for youth to stop using violent behavior and to replace abusive with respectful behavior so that all family members feel safe at home.

The overall goal of Step-Up is to stop the cycle of family violence. Domestic violence can begin in the teen years with abuse of family members, as well as intimate partners, and continues on into adult relationships. Changing violent and abusive behavior during adolescence helps prevent continuing the cycle of violence.

Step-Up has two programs: group counseling for youth and parents, and safety planning for families of youth in detention before their release home.

What is Step-Up Group Counseling?

Step-Up developed a unique 21 session skills-based curriculum used in a group setting with youth and parents. Teens and parents both come to group once a week for 90 minutes. Teens work in a youth group to learn skills to prevent the use of violent and abusive behavior and replace it with respectful behavior. Parents attend a parent group where they learn safety planning and parenting skills to support their youth in using nonviolent behavior. Together parents and teens learn and practice skills for respectful communication and problem solving.

For more information see "Why Does Step-Up Work?" below. To view the curriculum see the [Step-Up Curriculum](#).

How Can I Attend Step-Up?

Call Step-Up at 206-296-7841 to make an appointment for an intake interview. Your family history and background is important so we understand your specific family needs. We also want to make sure the program is right for you.

What is the Safety Plan?

Some parents are physically afraid, for themselves or other family members, to have their youth return home from detention when they have been arrested for violence with a family member. In 2006, at the request of Juvenile Court, Step-Up developed the Safety Plan Project, an intervention that includes:

- Assessment of the family's safety concerns
- Teaching of safety skills to both youth and parents
- Assisting parents with developing a plan for safety to reduce risk of harm to family members.
- Assisting youth with developing a 'Safety Plan', which is a step-by-step plan to prevent the use of violence and abuse.
- Youth is released with a Safety Plan agreement signed by youth and parent.

The intervention helps youth get out of detention earlier. Prior to the Safety Plan Project, youth were held in detention longer when parents expressed concern about release for safety reasons. Safety planning prevents re-offenses by the youth that would bring them back to juvenile detention.

King County is a leader in addressing youth violence with family members

Youth violence with family members is becoming recognized as a serious safety problem throughout the nation and in other countries. Step-Up was the first program of its kind in the country and has been regarded by many as a model program. Juvenile courts, family courts and related agencies from 16 states, 3 Canadian Provinces, New Zealand and Bermuda have requested use of our curriculum. The curriculum has been implemented in Thurston County, Washington; Lucas County, Ohio; Deschutes County, Oregon; West Palm Beach, Florida; Pinellas Park, Florida; Port St. Lucie, Florida; Auckland, New Zealand. Step-up staff provide consultation and training to courts and agencies implementing the curriculum.

The Step-Up curriculum was recently selected to be implemented as a Models for Change pilot project at three demonstration sites in Illinois. DuPage, Cook and Peoria counties will begin implementing the program in 2010. King County Step-Up will partner with them and Lucas County Juvenile Court Step-Up in Ohio, to collect program outcome data with a view toward building strong evidence of program efficacy.

Models for Change is a national initiative funded by the **John D. and Catherine T. MacArthur Foundation** that focuses on promoting systems change in juvenile justice. "Improving justice system response to juveniles charged with domestic violence" is one of four focus areas for Models for Change in Illinois.

Learn **what parents and teens say about Step-Up**.

If you are interested in training for your staff on the issue of youth violence with family members or implementing a Step-Up program please **contact us**.

The Step-Up Curriculum

About the Curriculum

The Step-Up curriculum was completed in 2004, after six years of developing and field testing exercises in Step-Up groups. We began with a domestic violence treatment model modified to address circumstances of teen violence with family members. We continued to adapt the curriculum, making and developing new sessions as we learned from observing the progress of parents and teens in the program. We consider the curriculum a 'work in progress' as we continue to learn and evaluate its effectiveness.

The Step-Up curriculum is designed for counselors who facilitate groups with teens who have been charged with violence towards a parent or family member. The curriculum uses a cognitive behavioral skills based approach to help teens stop the use of violent and abusive behaviors and teaches nonviolent, respectful ways of communicating and resolving conflict with family members.

The curriculum also includes materials for a parent group where parents learn how to respond to their teens at home, get support from other parents and gain new skills for parenting teens that promote respectful relationships.

The curriculum is designed to include parents at the beginning of each group session for 'check-in' sessions. Parents can separate into a parent group and teen group, or stay together for the session to work on learning together.

The curriculum has 21 sessions designed to be 1.5 to 2 hrs. once a week. Facilitators may vary the length to accommodate the needs of the group. It is designed as a closed group, but can function as an open group as well. King County uses the curriculum with an ongoing group in order to accommodate the needs of referred youth. Ongoing groups have the advantage of newcomers learning from participants who have been attending longer.

The curriculum assumes the teens have been arrested with a domestic violence charge and are court-mandated to attend. However, the curriculum can be used with non-mandated youth.

Parts of the Step-Up curriculum can be used in family or individual sessions when group work is not possible, although the benefits of group work significantly increase effectiveness of the intervention (see 'What are the Benefits of Group Counseling', above).

Keystone of Step-Up Curriculum: Abuse and Respect Wheels

The two wheels below are a keystone of Step-Up. The overall goal of the program is to help youth move from the abuse wheel to the respect wheel. The curriculum is designed to address behaviors in each section of the wheels, teaching skills to stop abusive behaviors and replace them with corresponding behaviors on the respect wheel.

The wheels are also used as a tool for raising awareness of behavior, and demonstrating appropriate behaviors used at home every week. Youth use the wheels at the beginning of each session to reflect on behavior the previous week and report to group what they did that was abusive and respectful at home.

Youth use the wheels to make weekly behavioral goals- choosing one behavior from the wheels to work on during the week and reporting back to group the following week about their progress.

The wheels provide a framework for talking about behavior. When a teen says, "I had an argument with my mom", the facilitator asks, "Were you on the 'abuse wheel' or the 'respect wheel' during that argument?" If the teen was on the abuse wheel, the next question is, "how could you have talked to your mom about the problem?" If the teen stayed on the respect wheel, the next question is, "how did you talk to your mom about the problem, argue and resolve conflict while staying on the 'respect wheel'?" The skills in the curriculum help teens and parents learn how to talk about behaviors at home, i.e., a parent might say to their teen, "can you

What to Do if Your Teen is Violent

If your teen starts to threaten you, to break things or to do anything physically violent, accept that you can't stop him or her at this point. It can be dangerous to try to stop a teen when he or she is violent. The most important thing is to keep yourself and your other children safe.

- Try to remain as calm as possible. Do not continue the argument or discussion.
- Immediately separate yourself and your children from your teen. Go to another room or if necessary, leave the house.
- If your teen is physically violent, or you think he or she might become violent, **call 911** (see **Should I Call 911?**) Police response gives your child the message that their behavior is serious and it is a crime. It may also result in court intervention which can be a support for your family and mandate counseling for your teen. Calling the police is a difficult decision, however many parents say that it was not until after the police were called that their youth stopped using violence.
- If you stay in your home, try to stay in an area with access to an exit. Stay away from the kitchen or other areas where potential weapons might be available.
- Don't talk to your teen again until he or she is calm and respectful. Separate again if needed.
- Take precautions in your home by figuring out ahead of time what is the safest and fastest way out of the house.
- If there are guns in your home, remove them until you feel safe around your teen at all times.
- If there has not been an arrest, you may want to consider getting an At-Risk-Youth Petition (see **At Risk Youth Petitions**) through which your teen can be mandated to counseling.
- Call the **Step-Up Program** for more information **206-296-7841** about responding to youth violence at home.

What to Say to your Teen:

- It is important to let your teen know that *anytime* he or she starts to use abusive or violent behavior that you will immediately separate from him or her, and that you will not talk or engage again until he or she is calm and respectful.
- Let your teen know you will call 911 if there is any physical violence and be prepared to follow through.
- Be specific with your teen about what abusive behavior is that will prompt you to separate. We define abuse as any of the following behaviors:
 1. Any physical violence or aggression with people, property or pets
 2. Yelling or screaming at people
 3. Swearing at people
 4. Name calling or hurtful words
 5. Threatening behavior
- The moment your teen starts any of these behaviors say you are separating and immediately leave the room. If the behavior escalates, continue to ignore it and leave

[\(http://ymcasafeplaceservices.org/\)](http://ymcasafeplaceservices.org/)

**FIND THE NEAREST
SAFE PLACE
([HTTP://YMCASAFEPLACESERVICES.ORG
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[WE BRING FAMILIES
BACK TOGETHER
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WE BRING FAMILIES BACK TOGETHER

Raising a teenager isn't easy. As your child grows up and begins to make the transition from adolescence to adulthood, your relationship changes. This is normal, but sometimes these changes can cause breakdowns in communication and trust that divide and challenge your family to do things differently.

At YMCA Safe Place Services, we understand the problems parents and caregivers of teens face, and we're here to help during this challenging time. Plus, we work with a variety of different family compositions, including adoptive families, grandparents, aunts and uncles, absent parents and GLBT parents.

With a caring staff on-call 24 hours a day, we are always here to help your family cope with anger issues, abusive behavior, drug or alcohol abuse, or any other factors that are causing turmoil in your home.

Need help now? If you are having trouble relating to or communicating with your teen — no matter the reason — call us at 502.635.5233. We are here and ready to help you start building a new relationship with your child — a relationship built on love, respect and compassion for one another. Your call is confidential.

To: Representative Sylvia Luke, Chair
Representative Aaron Johanson, Vice Chair
Representative Scott Nishimoto, Vice Chair and Members of the Committee on Finance

From: Margaret Hank

Re: Testimony in support of Senate Bill 2211 SD2 HD2, Relating to Youth

Date: Friday March 28, 2014

Time: 2:00pm

Location: House Conference Room 308, State Capitol

Representative Sylvia Luke, Chair, Representative Scott Y. Nishimoto, Vice Chair, Representative Aaron Ling Johanson, Vice Chair, and members of the Committee on Finance, my name is Margaret Hank and I am a graduate student at the Myron B. Thompson School of Social Work. Thank you for this opportunity to testify in support of Senate Bill 2211 SD2 HD2.

Safe places is a great alternative for youth in crisis and an important preventative measure from youth becoming homeless. Safe places is a necessary program as it is the youth of Hawaii who are advocating for the need of a place where they can access immediate safety, support, and services when in crisis. Many youth experience abuse, neglect, peer pressure, bullying, unplanned pregnancy, and substance abuse but do not have the means to seek support and appropriate services. It is essential that youth have a place where they feel comfortable and safe to discuss the struggles they are facing in school, home and with friends and family. A safe place will allow youth the opportunity to access the necessary tools to make responsible decisions in their lives. Safe places would not only serve as an immediate source of safety for youth, but as a preventative measure to ensure youth do not become victims of domestic violence, homelessness, or suicide.

I believe the safe places program would greatly benefit the youth of Hawaii. I strongly urge this committee to pass SB2211 SD2 HD2. Thank you for this opportunity to testify.

Sincerely,
Margaret Hank

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

From: Frederick W. Bledsoe, Honolulu, HI (Kapaehulu)

Hearing: SB2211

Honorable representatives Rhoads, Har, and members of the House Committee on the Judiciary, I appreciate this opportunity to express my opinions regarding the so-called "Safe-Places" bill (SB2211). I do not agree with this initiative. It makes too many assumptions. Assumption number one is that parents, step-parents, or guardians cannot be trusted with their own children, and that the word of the child is to be taken over that of the person(s) with parental responsibilities. The fact is that minor children will sometimes make false allegations regarding their parents, step-parents, or guardians. By creating and promoting zones where minor children can go and receive 'services', we are only inviting children who might have psychological, developmental, or mere adjustment problems, to get even with their those in parental roles, who are only attempting to responsibly set boundaries for them. The second assumption is that social service representatives are more trustworthy and knowledgeable about the needs of the child, than the parents, step-parents, or guardians. I cannot agree with this. We already have systems in place to detect abuse of children (at schools, churches, hospitals) with mandated reporters. This is overreaching by our state government, and the proposed method will merely invite false reporting.

Please do not pass this legislation!

Respectfully,
Frederick W. Bledsoe
3478 Campbell Avenue, Honolulu, HI 96815
808-732-6099

To: Rep. Sylvia Luke, House Committee Finance Chair
Rep. Scott Nishimoto, Vice Chair
Rep. Aaron Johanson, Vice Chair
House Committee Finance Members

March 26, 2014

Re: SB2211 SD2 HD2
Safe Place for Youth Pilot Program

My name is Rita Kama-Kimura a concerned mother, grandmother, citizen and registered voter. I am opposed to this bill until such time as more transparency and details are disclosed.

At first glance it would appear to be an act of compassion. The prospect of our young being abused at the hands of parents, relatives or family friends is heartbreaking and the bullying children endure is inexcusable and even more so when it takes place at schools.

However:

Do we not already have existing agency's (CPA) that are supposed to be addressing these issues? What about the schools? are they or are they not responsible for the safety of the children put in their care? Perhaps we need to go back and re-evaluate these departments, their policies, look at accountability and perhaps make revisions, before creating and putting more money into another new agency.

The act of bullying is something that is intolerable regardless of who the target is. It's cruel, destructive, and dangerous and may reflect a problem at home for the harasser themselves. The targets of bully's are vast and many times target those adolescents that are overweight, those that may have some sort of disability, different ethnic background, among others ... we must be careful as not to target any select group as more protected than others, which would send a wrong message. All are worthy to be protected equally.

We need to ensure that this isn't a progressive impingement on parent's rights. Who is this unidentified service provider? and how is it to be determined if the family or caretakers are the problem or if it's the child themselves?

I don't believe I saw anything that addressed any type of counseling to bring a family back together. This should also be an objective of the program. I am sure we would all agree that nothing is healthier for a child than a nurturing intact family and not a government agency.

I am aware that this program is supported in part by Planned Parenthood of Hawaii, which is of concern.

When I consider that programs like "Pono Choices" and "Common Core" that are currently being pushed by the DOE and supported by many elected officials against the will of parents/caretakers, my concern is that we will be taking these young people out of one dangerous situation only to make them victims, by handing them into the care of another equally or more nefarious one. At this point these young people are vulnerable.

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

Sincerely,
Rita Kama-Kimura
District 36

To:

Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
Rep. Aaron Ling Johanson, Vice Chair

From: Kailua, HI

Hearing: SB2211, SD2, HD2

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.**

In its present form, this bill is too vague to make me convinced that it warrants support. . The bill is copied below with my questions highlighted

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

From: Joeysmom <estherjoeyismom@gmail.com>
Sent: Thursday, March 27, 2014 8:36 AM
Subject: Opposition to SB2211

Dear Representative:

I would ask that you oppose SB2211 because it is a bill under the guise of anti-bullying. It is a dangerous bill that would undermine parental authority and students values.

Sincerely,
Esther Gefroh
Honolulu

[A Catholic Mom in Hawaii](#)

St. Augustine's Prayer to the Holy Spirit

Breathe in me O Holy Spirit that my thoughts may all be holy;
Act in me O Holy Spirit that my works, too, may be holy;
Draw my heart O Holy Spirit that I love but what is holy;
Strengthen me O Holy Spirit to defend all that is holy;
Guard me then O Holy Spirit that I always may be holy.

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

From: Michael Solis, Laie, HI

Hearing: SB2211

My name is Michael Solis 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.

Bullying is a problem and there is in fact data that backs this up at this website:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

“Statistics have shown that approximately 30 percent of American children report being involved in some way with the issue of bullying. In fact, when you look at the more objective data sources - physical appearance (or the general concept of appearing different than one’s peers) is usually the most common reason reported for why victims are targeted. This can involve a whole slew of issues, such as one’s weight, a girl who is developing physically faster than others, a child who wears glasses, or a boy who acts more effeminate than his peers, etc, etc. And statistics indicate that it is race & ethnicity issues along with opposite-sex harassment that accounts for a large percentage of bullying issues.

The fact is, there are many different groups of children who are at high risk of being bullied. Students who struggle with obesity, for instance, are 65 percent more likely to be bullied; children with disabilities as much as 85 percent more likely. That’s why, when you look at the big picture involving all kids who are at high risk of being bullied, they are all equally important. So we should be sending the message that a bully’s actions are always wrong for any reason regardless of why they target the victim.”

When it comes to “safe zones” or “safe spaces” though, I think the issue is whether or not the state should be involved in managing or designating these at all. While on the surface this all may sound very nice, this bill is problematic for several reasons.

First, I do not believe it is in the best interest of the state to get involved in the business of micromanaging our neighborhood communities and schools. Parents, schools and community based organizations already exist to address the issue of safety. One example is the Protecting Hawaii’s Ohana, Children, Under Served, Elderly and Disabled (PHOCUSED) organization. This statewide coalition of health, housing and human services organizations already exists to help children. There is also the YMCA/YWCA’s and family centers in various neighborhoods. It is these people and these existing organizations who are the ones most capable of developing policies based on the specific needs of their own particular community. In my own neighborhood of Ewa Beach for example, I can think of a number of “safe” places for children (e.g., the Boys and Girls Club, the Salvation Army’s KROC Center, the after school programs, the various churches, etc.). The point is, we have things in place. If they are not “safe spaces” then they should be shut down. If they are not safe and receive government funding, withdraw all monies and close them.

Second, I think we should look at other states who have gone down this path and learn from them. It’s been well documented that similar policies that have been adopted by other states have been used not only to undermine parental rights but also to marginalize individuals whose viewpoints are perceived as being “politically incorrect” by homosexual advocacy groups. “It is becoming ever increasingly clear that many of these anti-bullying and safe zone initiatives are just the latest of subtle tactics by activists to infiltrate classrooms under safe zones.”¹

We can certainly learn from documented cases how anti-bullying/safe zone policies are being used to leverage homosexual advocacy messages in public schools, circumvent parental rights and religious freedom protections. Here are but a few:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

Alameda, California: *On the same day that the state’s highest court upheld Proposition 8—an amendment defining marriage as only between a man and a*

¹ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

woman—the Alameda school board pushed through a curriculum that promoted homosexuality and gay marriage to elementary kids. Parents who objected discovered they could not opt their kids out of this teaching—even if it conflicted with their families’ most deeply held religious convictions or they just didn’t think their children were psychologically prepared to handle the topics. So how did the school board justify promotion of same-sex marriage to 6, 7 and 8 year olds?

Alameda education officials adopted the curriculum in the name of fighting bullying. They justified their actions by citing state and local “student safety” and “nondiscrimination” policies that include protection for “sexual orientation.” “These laws and policies mandate public schools prevent discrimination and harassment based on legally protected categories. The laws and policies explicitly state that we must protect gay, lesbian, bisexual and transgender students and staff.”

While everyone can agree that every single child—including those who identify as gay and lesbian—should be protected from harm, the problem is that school officials used these laws and policies to go far beyond that objective. Basically, the school officials interpreted legally mandated “protection” to mean forced homosexuality education for all.

Iowa: *Iowa is another state that passed a homosexual-themed bullying law. As a result, local government education agencies began providing a training course for public school teachers called “How to Make My Classroom Safe for LGBT students.” The syllabi have included things like screenings of the movie *Brokeback Mountain*, as well as training on how to use books like *And Tango Makes Three*, which promotes same-sex relationships to elementary kids. Once again, the “Rationale” given in the syllabi cited state nondiscrimination laws with the usual two categories, “sexual orientation” and “gender identity.”*

New Jersey: *Even though New Jersey already had strong anti-bullying provisions, in 2008, then-Gov. Jon Corzine signed a law setting up a Commission on Bullying in Schools. Throughout 2009, public hearings were held by the Commission. Homosexual activists groups—including the Gay, Lesbian and Straight Education Network—showed up at every single one of them, asking for things like “mandatory school trainings, student workshops, curriculum inclusion, and related initiatives.”*

Illinois: *In Illinois, where a law similar to Alameda’s was recently passed, there were parents who tried “to protect their elementary age children from being*

presented with homosexual-themed books and videos promoted in the name of “safe schools.” In fact, these parents discovered that a “safe schools” training done at their elementary school went so far as to list “family values” and “faith systems” as “perceived obstacles.” Then ironically enough, there was one mom who pointed out that “the school system no longer felt very “safe” for her family’s viewpoint.”

The Gay, Lesbian and Straight Education Network (GLSEN) already has their own dedicated effort to establish safe spaces for LGBT in schools. In fact, they even advertise on their website their campaign to “place a Safe Space Kit in every middle school and high school in the country.”²

With this bill then, are we to assume that GLSEN will not somehow be a partner in this “network” of safe places? Will they be the ones to “provide ongoing training of school personnel, community members, and providers designated as safe places for youth” as outlined in the bill?

From the beginning, GLSEN — the brainchild of President Obama’s controversial “Safe Schools czar” Kevin Jennings — has supported schools that take a “whole-school approach, incorporating gay issues into their curricula, their extracurricular activities, their assemblies, their faculty and parent education programs, and other areas from kindergarten through twelfth grade.”³

We should not be sending a message (whether intentional or not) that only some children are worthy of being protected because of how they self-identify or because they belong to a certain group. All kids should be protected.

The link below contains the chart that I used when looking at this bill. It compares good policies with bad policies.

<http://media.citizenlink.com/truetolerance/AntiBullyingPolicyYardstick.pdf>

In this bill that is being proposed, there is no definition of what is meant by the word “bullied.” Thus, it seems to me that this becomes open to a very broad interpretation. What about the issue of minors being able to sign enforceable contracts without parental consent? This bill also lacks exceptions for religious, political, or philosophical speech that is protected by the First Amendment. Furthermore, it mentions “training of school personnel, community members and

² <http://glsen.org/safespace>

³ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

service providers” and this opens the door to improper and unlawful attempts to “re-educate” people to help them “think” or “believe” the “right thing.”

As a parent, I believe the most effective way to address the issue of bullying is through policies that provide strong and equal protection to all. Policies should emphasize the wrong actions of the bully, rather than the reasons or excuses that bullies use but these should be handled at the lowest level of government possible. The state should not be micromanaging communities for safe zones. This is something that can be better handled at a much lower level and as previously stated, many organizations already exist within the state to help children. Bullying is a serious problem that can and should be addressed in a way that does not politicize the issue and that respects parental rights and students’ religious freedom.

Please do not support this bill.

Sincerely,

Michael Solis

From: Robin Metcalf <rrmetcalf@hawaiiintel.net>
Sent: Wednesday, March 26, 2014 9:05 PM
To: FINTestimony
Subject: SB2211

To Whom it may Concern,

I am writing to voice my opposition to SB2211. This bill "sounds good" when first hearing it's premise but upon closer examination there are many possible problems. I urge the senators to take their time reviewing SB2211 for ramifications such as policies that single out certain characteristics put the focus on the behaviors of the victim—rather than on the wrong actions of the bully. Also, listing certain categories creates a system ripe for reverse discrimination, sending the message that specific characteristics are more important to protect than others. Instead of promoting peace and unity, this can politicize the school environment and cause divisiveness among various groups of students, teachers and parents. Please vote No on this bill.

Sincerely,
Robin Metcalf
Kailua, HI

finance1

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 10:12 AM
To: FINTestimony
Cc: kevin.salts@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Roy Kevin Salts	Individual	Oppose	No

Comments: I do not support this legislation. There are already laws on the books that make it illegal to harm someone. We do not need to segregate our schools like during the civil rights era. This legislation is divisive. Instead of supporting legislation that protects only one group of people we need to make sure we are protecting everyone. Legislation that protects a single group of people will hurt other groups of people. We need less laws and more support for Families and family values. We need more support of Religious institutions where people are taught to love one another and to respect other people. If more people followed the teachings of Jesus Christ we would not need so many laws. Teach people correct principles and let them govern themselves. JS

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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finance8-Danyl

From: Elsa Souza <eskaianuhea@yahoo.com>
Sent: Wednesday, March 26, 2014 9:56 PM
To: Rep. Aaron Ling Johanson; FINTestimony
Subject: Re: Parent Alert #2 on SB2211- Testimony needed

Please oppose bill SB 2211. From a very concerned windward resident. Aloha! Elsa

Sent from my iPhone

On Mar 26, 2014, at 2:46 PM, "Fern Mossman" <fernmossman@hawaii.rr.com> wrote:

apitol.hawaii.gov>;repjohanson@capitol.hawaii.gov <repjohanson@capitol.hawaii.gov>;repnishimoto@capitol.hawaii.gov repnishimoto@capitol.hawaii.gov;
FINtestimony@capitol.hawaii.gov

finance8-Danyl

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 8:58 AM
To: FINTestimony
Cc: kjtagon19@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Judy Taggerty-Onaga	Individual	Comments Only	No

Comments: Please STOP SB211 HD 1 and SD2, HD2 Bills being introduced to HURT OUR CHILDREN, under disguise to offer help. Just like Pono Choices is Horrific and Dangerous so is this bill and the Keiki Caucus. Please Leave our Children alone. All the Children of Hawai'i Nei are Precious and should be protected from anything negative, dangerous and EVIL. Please do your Job, protect our Keiki against all these outside forces on a mission to corrupt our Hawai'i nation. Mahalo

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 11:14 AM
To: FINTestimony
Cc: pamakina@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Pam Akina	Individual	Oppose	No

Comments: I am opposed to this bill. We already have safety measures in place for students at the schools. If there are infringements, then the school administrators need to take steps to give direct consequences to those who are making the education atmosphere unsafe. I do not feel good about the state taking over our schools - it is too much control, too much legislation. Let our communities and local school/community boards take care of our own. I am opposed to mandated state legislation in our community schools. Thank you, please do not let this bill pass. Aloha, Pam Akina

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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finance1

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 11:18 AM
To: FINTestimony
Cc: ediepasion@hawaii.rr.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

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

Comments: MEMBERS OF THE HOUSE COMMITTEE ON FINANCE : I AM ASKING YOU TO OPPOSE THIS BILL-SB2211,AND PLEASE DO NOT VOTE AND FUND THIS BILL.THIS BILL,A PRO-GAY AGENDA, UNDERMINES PARENTAL RIGHTS AND RELIGIOUS FREEDOM FOR ALL. THANK YOU EDIE PASION [CONCERNED MOM] KAUAI HAWAII

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

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

From: Grace Alarcio, Ewa Beach, HI

Hearing: SB2211

My name is Grace Alarcio. Thank you for the opportunity to provide testimony in opposition to SB2211. I am writing to strongly ask 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. I do not want any child to be victimized. 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.

I have spoken to others about this SB2211 Bill and no one even knows about it. It is not right that this SB2211 Bill gets passed when the people of Hawaii do not even know what it is about. I wonder if the information about the Bill was purposely kept from the public. Why isn't it clearly shared with the public? Could it be that there is a knowledge that perhaps the people of Hawaii would not want this Bill? Is it right to pass this SB2211 Bill without the people being told what is in it and what it all means? Is it not your job to pass laws/bills that are good for everyone? If SB2211 is indeed a bill that should pass then why is it not publicized in detail for ALL people in Hawaii? Yes, the bill is available for all to see, but that's not the point. The point is that all parents and citizens of the State need to be fully aware of what the bill is. It should be your job to share all the details of the bill with everyone, with no hidden stuff. Why not put this Bill on a statewide Ballot so the people can vote? It appears that the SB2211 is being quickly rushed to pass, similar to some other Senate Bills that the people of Hawaii did not want to be passed. That's how it appears to me. I want a say in this SB2211 and I say it should NOT pass and instead be cast into the depths of the sea.

Bullying is a problem and there is in fact data that backs this up at this website:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

“Statistics have shown that approximately 30 percent of American children report being involved in some way with the issue of bullying. In fact, when you look at the more objective data sources - physical appearance (or the general concept of appearing different than one’s peers) is usually the most common reason reported for why victims are targeted. This can involve a whole slew of issues, such as one’s weight, a girl who is developing physically faster than others, a child who wears glasses, or a boy who acts more effeminate than his peers, etc, etc. And statistics indicate that it is race & ethnicity issues along with opposite-sex harassment that accounts for a large percentage of bullying issues.

The fact is, there are many different groups of children who are at high risk of being bullied. Students who struggle with obesity, for instance, are 65 percent more likely to be bullied; children with disabilities as much as 85 percent more likely. That’s why, when you look at the big picture involving all kids who are at high risk of being bullied, they are all equally important. So we should be sending the message that a bully’s actions are always wrong for any reason regardless of why they target the victim.”

When it comes to “safe zones” or “safe spaces” though, I think the issue is whether or not the state should be involved in managing or designating these at all. While on the surface this all may sound very nice, this bill is problematic for several reasons.

First, I do not believe it is in the best interest of the state to get involved in the business of micromanaging our neighborhood communities and schools. Parents, schools and community based organizations already exist to address the issue of safety. One example is the Protecting Hawaii’s Ohana, Children, Under Served, Elderly and Disabled (PHOCUSED) organization. This statewide coalition of health, housing and human services organizations already exists to help children. There is also the YMCA/YWCA’s and family centers in various neighborhoods. It is these people and these existing organizations who are the ones most capable of developing policies based on the specific needs of their own particular community. In my own neighborhood of Ewa Beach for example, there are “safe” places for children (e.g., the Boys and Girls Club, the Salvation Army’s KROC Center, the after school programs, the various churches, etc.). The point is, we have things in place.

Second, I think we should look at other states who have gone down this path and learn from them. It’s been well documented that similar policies that have been adopted by other states have been used not only to undermine parental rights but

also to marginalize individuals whose viewpoints are perceived as being “politically incorrect” by homosexual advocacy groups. “It is becoming ever increasingly clear that many of these anti-bullying and safe zone initiatives are just the latest of subtle tactics by activists to infiltrate classrooms under safe zones.”¹

We can certainly learn from documented cases how anti-bullying/safe zone policies are being used to leverage homosexual advocacy messages in public schools, circumvent parental rights and religious freedom protections. Here are but a few:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

Alameda, California: *On the same day that the state’s highest court upheld Proposition 8—an amendment defining marriage as only between a man and a woman—the Alameda school board pushed through a curriculum that promoted homosexuality and gay marriage to elementary kids. Parents who objected discovered they could not opt their kids out of this teaching—even if it conflicted with their families’ most deeply held religious convictions or they just didn’t think their children were psychologically prepared to handle the topics. So how did the school board justify promotion of same-sex marriage to 6, 7 and 8 year olds?*

Alameda education officials adopted the curriculum in the name of fighting bullying. They justified their actions by citing state and local “student safety” and “nondiscrimination” policies that include protection for “sexual orientation.” “These laws and policies mandate public schools prevent discrimination and harassment based on legally protected categories. The laws and policies explicitly state that we must protect gay, lesbian, bisexual and transgender students and staff.”

While everyone can agree that every single child—including those who identify as gay and lesbian—should be protected from harm, the problem is that school officials used these laws and policies to go far beyond that objective. Basically, the school officials interpreted legally mandated “protection” to mean forced homosexuality education for all.

Iowa: *Iowa is another state that passed a homosexual-themed bullying law. As a result, local government education agencies began providing a training course for public school teachers called “How to Make My Classroom Safe for LGBT*

¹ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

students.” The syllabi have included things like screenings of the movie *Brokeback Mountain*, as well as training on how to use books like *And Tango Makes Three*, which promotes same-sex relationships to elementary kids. Once again, the “Rationale” given in the syllabi cited state nondiscrimination laws with the usual two categories, “sexual orientation” and “gender identity.”

New Jersey: Even though New Jersey already had strong anti-bullying provisions, in 2008, then-Gov. Jon Corzine signed a law setting up a Commission on Bullying in Schools. Throughout 2009, public hearings were held by the Commission. Homosexual activists groups—including the Gay, Lesbian and Straight Education Network—showed up at every single one of them, asking for things like “mandatory school trainings, student workshops, curriculum inclusion, and related initiatives.”

Illinois: In Illinois, where a law similar to Alameda’s was recently passed, there were parents who tried “to protect their elementary age children from being presented with homosexual-themed books and videos promoted in the name of “safe schools.” In fact, these parents discovered that a “safe schools” training done at their elementary school went so far as to list “family values” and “faith systems” as “perceived obstacles.” Then ironically enough, there was one mom who pointed out that “the school system no longer felt very “safe” for her family’s viewpoint.”

The Gay, Lesbian and Straight Education Network (GLSEN) already has their own dedicated effort to establish safe spaces for LGBT in schools. In fact, they even advertise on their website their campaign to “place a Safe Space Kit in every middle school and high school in the country.”²

With this bill then, are we to assume that GLSEN will not somehow be a partner in this “network” of safe places? Will they be the ones to “provide ongoing training of school personnel, community members, and providers designated as safe places for youth” as outlined in the bill?

From the beginning, GLSEN — the brainchild of President Obama’s controversial “Safe Schools czar” Kevin Jennings — has supported schools that take a “whole-school approach, incorporating gay issues into their curricula, their extracurricular activities, their assemblies, their faculty and parent education programs, and other areas from kindergarten through twelfth grade.”³

² <http://glsen.org/safespace>

³ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

We should not be sending a message (whether intentional or not) that only some children are worthy of being protected because of how they self-identify or because they belong to a certain group. All kids should be protected.

The link below contains the chart that I used when looking at this bill. It compares good policies with bad policies.

<http://media.citizenlink.com/truetolerance/AntiBullyingPolicyYardstick.pdf>

In this bill that is being proposed, there is no definition of what is meant by the word “bullied.” Thus, it seems to me that this becomes open to a very broad interpretation. What about the issue of minors being able to sign enforceable contracts without parental consent? This bill also lacks exceptions for religious, political, or philosophical speech that is protected by the First Amendment. Furthermore, it mentions “training of school personnel, community members and service providers” and this opens the door to improper and unlawful attempts to “re-educate” people to help them “think” or “believe” the “right thing.”

The most effective way to address the issue of bullying is through policies that provide strong and equal protection to all. Policies should emphasize the wrong actions of the bully, rather than the reasons or excuses that bullies use but these should be handled at the lowest level of government possible. The state should not be micromanaging communities for safe zones. This is something that can be better handled at a much lower level and as previously stated, many organizations already exist within the state to help children. Bullying is a serious problem that can and should be addressed in a way that does not politicize the issue and that **respects parental rights and students’ religious freedom.**

Please do not vote for this bill.

Sincerely,

Grace Alarcio

TESTIMONY to House Committee on Finance

SB2211 SD2 HD2 Relating to Youth

Friday, March 28, 2014

2:00 PM -- State Capitol Conference Room 308

Submitted in **OPPOSITION** by: Mary Smart, Mililani, HI 96789

Chairman Luke, Vice-Chairs Johanson and Nishimoto, and Members:

There are too many problems with this bill therefore **a vote against SB2211 SD2 HD2 is most appropriate.**

Children safer in the home of their biological parents than they are at school, foster homes or state run programs. Hawaii maintains a list of Hawai'i's missing children. Right now there are approximately 74 people on the list, some of whom may have been taken by their non-custodial parent others who were already in being given services . Currently about 63 are under the age of 21 and about 20 children on the list have been missing under a year. More than one may have already been receiving government help as evidenced by the statement: " Last Seen: On 02/11/14, child ran from COYSA in Haleiwa." More than one person ran away from Central Oahu Youth Services Association (COYSA) in Haleiwa. State services failed these children.

<http://ag.hawaii.gov/cpja/mcch/hawaiis-missing-children/>

Children rebel from parental authority for many reasons. It is not surprising children want a place where they can do whatever they want, that is the desire of all children. Parents must teach their children to control those wants. Children who aren't disciplined and know no limits will disregard rules/ laws and blame everyone but themselves for their problems. A government program that interferes with or supersedes parental authority is not healthy for our community.

There are other troubling initiatives that could be contributing to our children's rebellion to parental authority. Hawai'i is abuzz about the sexually explicit sex education programs being promoted in our schools. Parents want the curricula removed while BOE drags their feet the blatantly pornographic material. According to an article written by J. Matt Barber, the FBI reports that pedophiles groom children to participate in sexual activities by exposing and teaching them about various sexual experiences. He states: " Today's Kinseyan "comprehensive sex education" model, embraced by Barack Obama and other "progressives," is nothing short of educational malpractice. It's child corruption. It's criminally reckless. It's undeniably "grooming" children for sex. " It is not surprising after being sexualized from as early as eleven years old, that some children believe that he/she is mature enough to make risky decisions without parental guidance.

<http://cnsnews.com/blog/j-matt-barber/hhs-grooming-children-sex-using-tactics-mirroring-fbis-pedophile-profile>

The availability of "safe places" is a very bad and harmful concept. Predators are drawn to programs that give them access to vulnerable children. The program would attract people who could pose a serious danger to the children seeking the services. If schools are involved their liability would increase and open them to lawsuits wasting valuable time and funds that should be focused on education, not social services. The state of Hawaii and its parents cannot afford the program for both economic and safety reasons nor should the State take on the liabilities that the state would incur for children abused in these programs.

Recent news articles expose the rampant sexual abuse of students by their teachers. For every abusive teacher caught, there are probably many more who go undetected, The link provided here lists 13 pages of women with about 12 - 20 women per page who were charged or convicted of sexually assaulting students.

<http://www.wnd.com/2014/03/39783/>

Male teachers also take advantage of students. One teacher was in the papers as recently as March 24, 2014.

<http://www.longisland.com/news/03-25-14/ward-melville-hs-teacher-arrested-for-sexually-abusing-student.html> and: <http://www.ktuu.com/news/news/fairbanks-teacher-charged-with-sexual-abuse-male-student/25172140>

Social workers backgrounds can be just as lurid:

<http://www.standard.net/stories/2014/01/27/former-davis-social-worker-pleads-guilty-sex-abuse-teen-client>

A therapist in Utah admitted sexually abusing someone he was supposed to help.

<http://www.alabamanevday.com/national/33725-utah-therapist-jailed-for-sexually-abusing-mormon-patient-14.html>

And if the child is taken away, can the foster parent be trusted? Not necessarily. Even a foster parent who is a social worker married to a nurse can seriously harm a child who has been placed in their care like the ones who handcuffed their foster child to the porch and tied a dead chicken around his neck.

<http://www.hlntv.com/article/2013/11/16/dead-chicken-porch-social-worker-arrested-child-abuse> or: <http://www.fostercarenews.co.uk/foster-carer-herbert-moss-jailed-for-sexual-abuse-of-young-girls/>

Even people who should be role models (firefighters) can't be trusted:

<http://www.komonews.com/news/crime/Seattle-firefighter-charged-with-having-sex-with-a-minor-246039671.html>

The bill has no clear definition of what occurs in a safe place or the criteria for running it. Shamefully, the "Anti-bullying Czar", Dan Savage, has proven to be a bigot and bully toward Christian students. If our national administration can let someone as unstable and immature as Dan Savage, I can't believe that the schools would do any better.

<http://www.breitbart.com/Breitbart-TV/2012/04/28/Anti-Bully-Savage-Bullies-Christians>

For equal access to services, if you create a "safe-place" for one type of issue, you would have to have a "safe-place" for all. Christians seem to be the people who are bullied the most. Ex-gays are also bullied freely in our culture that refuses to acknowledge their ability to choose for themselves their sexual behaviors. How will these two under-served groups be protected in the "safe places" program?

The purpose of our public school is to teach children specific academic subjects. It is not to indoctrinate into a progressive ideology nor to dumb them down so they can easily assimilate with 3rd world countries who subsist in an agrarian civilization. Ever since God was driven out of the schools and secular humanism has been promoted, it is not surprising that the students are having more and more problems. If schools would bring prayer back to the classroom, problems would probably decrease dramatically.

If a child has a problem, regardless of age, he or she should be taken to the Principal's office and a parent called immediately. The Principals' office should be a safe place until the parent arrives. No person should intervene without a parent's permission unless the child has reached the age of 18 and mentally competent. If the Board of Education cannot guarantee the child's safety until the parent arrives, the school should be closed immediately.

There were recently articles in the news regarding an 18 year old young woman who left her parental home when she wasn't willing to obey the house rules. According to an article, the young woman spent two nights with a boyfriend. Rachael made the decision to leave, yet, with an entitlement attitude, she sued her parents to fund her lifestyle and pay for her advanced education. This instance typifies the ungrateful and rebellious child that would seek a "safe place". Instead of coddling bad behavior, the state must uphold parental values and hold children accountable for their behavior.

<http://www.cnn.com/2014/03/04/justice/student-sues-parents-new-jersey/>and yet,

I know young man who was sent to "camp" to help him mature to manhood. He was expelled from the first program and entered a second program where he made some progress, until he decided he didn't want to obey rules any longer. Even though his food and lodging were paid in advance (approximately \$4000/month), he chose to go to a homeless shelter with no rules, free food and beds. By giving him an alternative, his

opportunity to mature was negatively impacted. The "safe-place" alternative can also keep a child from receiving the guidance and discipline they need from a loving parent.

Children should not be able to sign waivers as if they were an adult. There is a reason 18 is the minimum age for signing contracts. The fact that the age of participation spans from 14 to 21 makes the younger participants very vulnerable either to the person in charge or others in the program.

There are already plenty of social services agencies to provide services to families in need. We don't need schools to duplicate those services and we can't afford to pay for that duplication. If they aren't working, fix the problem, don't start a new program.

If you really cared about children you would give them the following information and encourage them to aspire to a marriage between one man and one woman for life for the following reasons:

- Children raised in intact married families are more likely to attend college, are physically and emotionally healthier, are less likely to be physically or sexually abused, less likely to use drugs or alcohol and to commit delinquent behaviors, have a decreased risk of divorcing when they get married, are less likely to become pregnant/impregnate someone as a teenager, and are less likely to be raised in poverty. ("Why Marriage Matters: 26 Conclusions from the Social Sciences," Bradford Wilcox, Institute for American Values, www.americanvalues.org/html/r-wmm.html)
- Children receive gender specific support from having a mother and a father. Research shows that particular roles of mothers (e.g., to nurture) and fathers (e.g., to discipline), as well as complex biologically rooted interactions, are important for the development of boys and girls. ("Marriage and the Public Good: Ten Principles," 2006, www.princetonprinciples.org)
- A child living with a single mother is 14 times more likely to suffer serious physical abuse than is a child living with married biological parents. A child whose mother cohabits with a man other than the child's father is 33 times more likely to suffer serious physical child abuse. ("The Positive Effects...")
- In married families, about 1/3 of adolescents are sexually active. However, for teenagers in stepfamilies, cohabiting households, divorced families, and those with single unwed parents, the percentage rises above 1/2. ("The Positive Effects...")

<http://www.usccb.org/issues-and-action/marriage-and-family/children/children.cfm>

For these reasons I respectfully requires you vote against SB2211 SD2 HD2.

finance1

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 12:52 PM
To: FINTestimony
Cc: danny.melton@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Danny Melton	Individual	Oppose	No

Comments: To: Representative Karl Rhoads, Chair Representative Sharon E. Har, Vice Chair Members of the House Committee on Judiciary From: Dan Melton, Waipahu, Hawaii Hearing: 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. Bullying is a problem and there is in fact data that backs this up at this website: <http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf> "Statistics have shown that approximately 30 percent of American children report being involved in some way with the issue of bullying. In fact, when you look at the more objective data sources - physical appearance (or the general concept of appearing different than one's peers) is usually the most common reason reported for why victims are targeted. This can involve a whole slew of issues, such as one's weight, a girl who is developing physically faster than others, a child who wears glasses, or a boy who acts more effeminate than his peers, etc, etc. And statistics indicate that it is race & ethnicity issues along with opposite-sex harassment that accounts for a large percentage of bullying issues. The fact is, there are many different groups of children who are at high risk of being bullied. Students who struggle with obesity, for instance, are 65 percent more likely to be bullied; children with disabilities as much as 85 percent more likely. That's why, when you look at the big picture involving all kids who are at high risk of being bullied, they are all equally important. So we should be sending the message that a bully's actions are always wrong for any reason regardless of why they target the victim." When it comes to "safe zones" or "safe spaces" though, I think the issue is whether or not the state should be involved in managing or designating these at all. While on the surface this all may sound very nice, this bill is problematic for several reasons. First, I do not believe it is in the best interest of the state to get involved in the business of micromanaging our neighborhood communities and schools. Parents, schools and community based organizations already exist to address the issue of safety. One example is the Protecting Hawaii's Ohana, Children, Under Served, Elderly and Disabled (PHOCUSED) organization. This statewide coalition of health, housing and human services organizations already exists to help children. There is also the YMCA/YWCA's and family centers in various neighborhoods. It is these people and these existing organizations who are the ones most capable of developing policies based on the specific needs of their own particular community. In my own neighborhood of Ewa Beach for example, I can think of a number of "safe" places for children (e.g., the Boys and Girls Club, the Salvation Army's KROC Center, the after school programs, the

various churches, etc.). The point is, we have things in place. If they are not “safe spaces” then they should be shut down. If they are not safe and receive government funding, withdraw all monies and close them. Second, I think we should look at other states who have gone down this path and learn from them. It’s been well documented that similar policies that have been adopted by other states have been used not only to undermine parental rights but also to marginalize individuals whose viewpoints are perceived as being “politically incorrect” by homosexual advocacy groups. “It is becoming ever increasingly clear that many of these anti-bullying and safe zone initiatives are just the latest of subtle tactics by activists to infiltrate classrooms under safe zones.” We can certainly learn from documented cases how anti-bullying/safe zone policies are being used to leverage homosexual advocacy messages in public schools, circumvent parental rights and religious freedom protections. Here are but a few: <http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf> Alameda, California: On the same day that the state’s highest court upheld Proposition 8—an amendment defining marriage as only between a man and a woman—the Alameda school board pushed through a curriculum that promoted homosexuality and gay marriage to elementary kids. Parents who objected discovered they could not opt their kids out of this teaching—even if it conflicted with their families’ most deeply held religious convictions or they just didn’t think their children were psychologically prepared to handle the topics. So how did the school board justify promotion of same-sex marriage to 6, 7 and 8 year olds? Alameda education officials adopted the curriculum in the name of fighting bullying. They justified their actions by citing state and local “student safety” and “nondiscrimination” policies that include protection for “sexual orientation.” “These laws and policies mandate public schools prevent discrimination and harassment based on legally protected categories. The laws and policies explicitly state that we must protect gay, lesbian, bisexual and transgender students and staff.” While everyone can agree that every single child—including those who identify as gay and lesbian—should be protected from harm, the problem is that school officials used these laws and policies to go far beyond that objective. Basically, the school officials interpreted legally mandated “protection” to mean forced homosexuality education for all. Iowa: Iowa is another state that passed a homosexual-themed bullying law. As a result, local government education agencies began providing a training course for public school teachers called “How to Make My Classroom Safe for LGBT students.” The syllabi have included things like screenings of the movie *Brokeback Mountain*, as well as training on how to use books like *And Tango Makes Three*, which promotes same-sex relationships to elementary kids. Once again, the “Rationale” given in the syllabi cited state nondiscrimination laws with the usual two categories, “sexual orientation” and “gender identity.” New Jersey: Even though New Jersey already had strong anti-bullying provisions, in 2008, then-Gov. Jon Corzine signed a law setting up a Commission on Bullying in Schools. Throughout 2009, public hearings were held by the Commission. 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activities, their assemblies, their faculty and parent education programs, and other areas from kindergarten through twelfth grade.” We should not be sending a message (whether intentional or not) that only some children are worthy of being protected because of how they self-identify or because they belong to a certain group. All kids should be protected. The link below contains the chart that I used when looking at this bill. It compares good policies with bad policies.

<http://media.citizenlink.com/truetolerance/AntiBullyingPolicyYardstick.pdf> In this bill that is being proposed, there is no definition of what is meant by the word “bullied.” Thus, it seems to me that this becomes open to a very broad interpretation. What about the issue of minors being able to sign enforceable contracts without parental consent? This bill also lacks exceptions for religious, political, or philosophical speech that is protected by the First Amendment. Furthermore, it mentions “training of school personnel, community members and service providers” and this opens the door to improper and unlawful attempts to “re-educate” people to help them “think” or “believe” the “right thing.” As a parent, I believe the most effective way to address the issue of bullying is through policies that provide strong and equal protection to all. Policies should emphasize the wrong actions of the bully, rather than the reasons or excuses that bullies use but these should be handled at the lowest level of government possible. The state should not be micromanaging communities for safe zones. This is something that can be better handled at a much lower level and as previously stated, many organizations already exist within the state to help children. Bullying is a serious problem that can and should be addressed in a way that does not politicize the issue and that respects parental rights and students’ religious freedom. Please do not vote for this bill. Dan Melton Colonel, U.S. Marine Corps (retired) Waipahu, Hawaii

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

finance1

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 12:57 PM
To: FINTestimony
Cc: yong.melton@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Yong Melton	Individual	Oppose	No

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They justified their actions by citing state and local “student safety” and “nondiscrimination” policies that include protection for “sexual orientation.” “These laws and policies mandate public schools prevent discrimination and harassment based on legally protected categories. The laws and policies explicitly state that we must protect gay, lesbian, bisexual and transgender students and staff.” While everyone can agree that every single child—including those who identify as gay and lesbian—should be protected from harm, the problem is that school officials used these laws and policies to go far beyond that objective. Basically, the school officials interpreted legally mandated “protection” to mean forced homosexuality education for all. Iowa: Iowa is another state that passed a homosexual-themed bullying law. As a result, local government education agencies began providing a training course for public school teachers called “How to Make My Classroom Safe for LGBT students.” The syllabi have included things like screenings of the movie *Brokeback Mountain*, as well as training on how to use books like *And Tango Makes Three*, which promotes same-sex relationships to elementary kids. Once again, the “Rationale” given in the syllabi cited state nondiscrimination laws with the usual two categories, “sexual orientation” and “gender identity.” New Jersey: Even though New Jersey already had strong anti-bullying provisions, in 2008, then-Gov. Jon Corzine signed a law setting up a Commission on Bullying in Schools. Throughout 2009, public hearings were held by the Commission. Homosexual activists groups—including the Gay, Lesbian and Straight Education Network—showed up at every single one of them, asking for things like “mandatory school trainings, student workshops, curriculum inclusion, and related initiatives.” Illinois: In Illinois, where a law similar to Alameda’s was recently passed, there were parents who tried “to protect their elementary age children from being presented with homosexual-themed books and videos promoted in the name of “safe schools.” In fact, these parents discovered that a “safe schools” training done at their elementary school went so far as to list “family values” and “faith systems” as “perceived obstacles.” Then ironically enough, there was one mom who pointed out that “the school system no longer felt very “safe” for her family’s viewpoint.” The Gay, Lesbian and Straight Education Network (GLSEN) already has their own dedicated effort to establish safe spaces for LGBT in schools. In fact, they even advertise on their website their campaign to “place a Safe Space Kit in every middle school and high school in the country.” With this bill then, are we to assume that GLSEN will not somehow be a partner in this “network” of safe places? Will they be the ones to “provide ongoing training of school personnel, community members, and providers designated as safe places for youth” as outlined in the bill? From the beginning, GLSEN — the brainchild of President Obama’s controversial “Safe Schools czar” Kevin Jennings — has supported schools that take a “whole-school approach, incorporating gay issues into their curricula, their extracurricular

activities, their assemblies, their faculty and parent education programs, and other areas from kindergarten through twelfth grade.” We should not be sending a message (whether intentional or not) that only some children are worthy of being protected because of how they self-identify or because they belong to a certain group. All kids should be protected. The link below contains the chart that I used when looking at this bill. It compares good policies with bad policies. <http://media.citizenlink.com/truetolerance/AntiBullyingPolicyYardstick.pdf> In this bill that is being proposed, there is no definition of what is meant by the word “bullied.” Thus, it seems to me that this becomes open to a very broad interpretation. What about the issue of minors being able to sign enforceable contracts without parental consent? This bill also lacks exceptions for religious, political, or philosophical speech that is protected by the First Amendment. Furthermore, it mentions “training of school personnel, community members and service providers” and this opens the door to improper and unlawful attempts to “re-educate” people to help them “think” or “believe” the “right thing.” As a parent, I believe the most effective way to address the issue of bullying is through policies that provide strong and equal protection to all. Policies should emphasize the wrong actions of the bully, rather than the reasons or excuses that bullies use but these should be handled at the lowest level of government possible. The state should not be micromanaging communities for safe zones. This is something that can be better handled at a much lower level and as previously stated, many organizations already exist within the state to help children. Bullying is a serious problem that can and should be addressed in a way that does not politicize the issue and that respects parental rights and students’ religious freedom. Please do not vote for this bill. Sincerely, Yong Melton

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finance1

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 2:04 PM
To: FINTestimony
Cc: alfred_sarmento@hotmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Alfred P. Sarmento	Individual	Oppose	No

Comments: Aloha from Kauai, Please do not vote to finance the "Pono Choices" program, SB2211. This program destroys parental rights as well as is discriminatory to established religious freedoms in America. Please exercise sound judgement and do not vote to either implement or fund SB2211 as written. Real "Anti-Bullying" legislation must protect parental rights and freedom of conscience. Mahalo for your time. Alfed P. Sarmento - Kekaha, Kauai

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finance8-Danyl

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 26, 2014 11:12 PM
To: FINTestimony
Cc: inhocsig@lava.net
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM
Attachments: SB2211March2014.pages

SB2211

Submitted on: 3/26/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

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

Comments:

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DATE: March 27, 2014

TO: Rep. Sylvia Luke, Chair, Vice Chairs, and members, House Finance Committee

FROM: Marya Grambs, Executive Director, Mental Health America of Hawaii
RE MEASURE #: SB2211, SD2 HD2

HEARING AT: 2:00 p.m., March 28, 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 face many issues in the home: physical and sexual abuse, neglect, substance abuse, or mental illness. A significant percent drop out of school. Bullying has reached peak levels because of the pervasiveness of cyberbullying. We have one of the highest rates in the nation of youth suicide attempts and plans, and suicide of young people has more than doubled over the last five years. Thus, youth are at great risk to run away, be truant, abuse substances, and be coerced into human trafficking. Other issues such as teen pregnancy, tobacco addiction, mental health problems, and relationship violence increase the need for youth to have trusted locations they can turn to in times of trouble.

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 top 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.

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 4:53 PM
To: FINTestimony
Cc: praisechapelwaimearivermouth@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Taylor	Individual	Comments Only	No

Comments: Any consent given by a youth in crisis less than eighteen years of age to a service provider shall be valid and binding for the duration of the period for which the minor wishes to receive services with respect to all services, as if the minor had reached the age of majority. I ask that this portion of the bill be scrutinized carefully so that it does not circumvent parental authority today or in future legislation that would weaken the fabric of society even further. I agree that there must be programs and facilities made available that encourage, protect and stimulate our youth. I believe the creation of a pilot program networking on the current foundation of public, private, and faith based offerings will best serve the community, family and children of our islands.

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LATE

From: Douglas Kozub <Kozub@Hawaii.rr.com>
Sent: Thursday, March 27, 2014 5:01 PM
To: FINTestimony
Subject: Pono Choices Curriculum?

Dear Representative:

I understand we live in a free democratic country. As our elected legislators voted in favor of same sex marriage, this is very different than Pono Choices curriculum.

I do not want my children to learn how same sex couples have sex with one another. This is not education. This is indoctrination to a life style. This is the same as if the schools were to suddenly teach that teenagers should embrace and celebrate sex outside of marriage. Schools should not be in educating, indoctrinating, and celebrating sex outside of marriage. This leads to many serious societal problems. Pono Choices is using anti-bullying curriculum to educate and celebrate moral decisions that the public school system should not be advocating.

I want you to vote no to House Bill SB2211.

With respect to anti-bullying education, I am all for it. And I am for teaching our keiki to not bully those who identify themselves with same sex people. I was bullied a fair amount as a young teenager. And it is wrong! Yet, as legislators, you have a responsibility to balance all groups that are bullied in our public schools.

That is, anti-bullying curriculum needs to give equal weight to all groups that are bullied: one hour for whites, one hour for blacks, one hour for those mentally handicapped, one hour for those who struggle academically, one hour for those kids who are overweight, one hour for homosexuals, one hour for keiki who have religious beliefs, one hour for keiki who are economically challenged, and one hour for keiki who are considered nerds (socially handicapped). What Pono Choices is doing is taking a disproportionate amount of curriculum leaving the other dozen or so groups with significantly less time, resources or emphasis.

If we do not balance this, Pono Choices will bully the other groups out of fair weight and measure from the anti-bullying curriculum. Let me be clear, if we are not careful, Pono Choices advocates will be like legislative bullies crying that their agenda is most important leaving the dozen or so other bullied groups with very little voice and help. I am for educating our teens to not bully their homosexual peers. But, in every public school, homosexuals are not the most bullied group. Statically, they are among the least. Way more teens are bullied for their color of skin than their sexual orientation. Way more teens are bullied because they are fat than teens who are gay. Way more teens are bullied because of their faith than keiki who are gay. Just ask the Vice Principals!

Please vote no to House Bill SB2211 for the purpose of curriculum that is developed that is balanced with all bullied groups in our public schools.

Sincerely,
Doug Kozub
Lihue, Kauai

From: Brandi Picardal <mrspicardal@yahoo.com>
Sent: Thursday, March 27, 2014 9:40 PM
To: FINTestimony; mrspicardal@yahoo.com
Subject: Oppose SB-2211 RE: Youth and Safe Places



Date: January 28, 2014 @ 2:00pm
Conference Room #308

To: House Finance Committee
Re: Opposition to SB 2211 Relating to Youth and Safe Places

Dear Committee Members:

I am a concerned parent. I **strongly oppose SB 2211** for the following reasons:

1. 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.
2. 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 and help the victim and to 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.
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, 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.
4. In addition, the provision regarding immunity from criminal or civil prosecution is disturbing. Also, **a minor should not be given the authority to make decisions that belong to the parent**, or to a court of law. If a minor desires to make his/her own decisions and Legislature supports that, then consider passing an emancipation statute.

Please consider what it would be like if your mother or father had their authority over you taken from them.

This bill ties the hands of parents that are involved and responsible for their children.
I humbly ask that you **OPPOSE SB-2211** and give parents the authority they need to raise their children.
Thank you for your time.

Respectfully,
Brandi M. Picardal
94-1415 Welina Loop, Apt. 8B
Waipahu, HI 96797

Isaiah 41:10

King James Version (KJV)

¹⁰ Fear thou not; for I am with thee: be not dismayed; for I am thy God: I will strengthen thee; yea, I will help thee; yea, I will uphold thee with the right hand of my righteousness.

From: mtnhikers@hawaii.rr.com
Sent: Thursday, March 27, 2014 8:35 PM
To: FINTestimony
Subject: SB2211

LATE

To The Honorable Luke, March 27, 2014

I have copied off just part of the bill. I have always understood a minor as someone of an age that needs protection. Parents have that right. I have been involved with DV hotlines, safe houses, speaking in schools for about 30 years. I understand about protecting children. SB2211 is not the way to protect them. This Bill leaves minors unprotected against religious, moral, and cultural beliefs with no protection for the parents. Is this the reason that SB2211 is being given no public exposure? Elected officials are elected to represent the people. Please make all the legislation that pertains to our schools readily available to read and hear about their existence in the news. If it is so important to enact, then we the public should be aware of it. Thank you for listening.

Elizabeth & Patrick Thompson
PO Box 311, Kekaha, HI 96752
808-337-9060 mtnhikers@hawaii.rr.com
From SB2211

d) Providers may provide services to a consenting minor if the provider reasonably believes that:

(1) The minor understands the significant benefits, responsibilities, risks, and limits of the provider and its services and can communicate an informed consent;

(2) The minor understands the requirements and rules of the provider and services; and

(3) The provider and services are necessary to ensure the minor's safety and well-being; and the provider has conducted an assessment and determined that the minor does not pose a danger to the minor's self or to other persons at the same location. If the provider determines that admitting the minor poses a danger, the provider shall report the matter to an appropriate agency.

(e) A minor may consent to the provider and related services if the minor understands the benefits, responsibilities, risks, and limits of the provider and services, and the minor agrees to adhere to the provider's rules and cooperate and participate in those services recommended by the provider; provided that:

(1) The provider has not, despite reasonable efforts, been able to contact the minor's parent, legal guardian, or legal custodian;

(2) The 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 provider, the 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; or

(3) The minor has refused to provide contact information for the minor's parent, legal guardian, or legal custodian, and the 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.

finance1

From: kauaititah@gmail.com
Sent: Thursday, March 27, 2014 10:12 PM
To: FINTestimony
Subject: SB2211 Bill



As a mother and grandmother, I do not approve of my children being taught things without my knowing or consent! I raised my children

honoring our LORD GOD and HIS WORD!

PLEASE vote against this bill!!

MAHALO...

Tanya Quiocho

[PO Box 25](#)

[Hanapepe HI 96716](#)

Sent from my iPhone

finance1

LATE

From: Art Hannemann <adhannemann7@gmail.com>
Sent: Friday, March 28, 2014 8:57 AM
To: FINTestimony
Subject: SB2211, "Safe places", Finance committee, Room 308, 2p.m.

Since the passing of SB1, it is amazing to me the barrage of discussion re the normality of homosexuality, and sex and children.

We seem to be obsessed in this state, legislators, with homosexuality and sex and children.

If the home seems to be an environment of concern, and parents are being judged re their ability to raise productive and well balanced children, hence safe zones, do you have a bill coming up that would strengthen families. Bills that would help parents be better parents. Fathers to be better fathers. Mothers to be better mothers. Home to be a "safer" home?

As mothers and fathers why are we here with you, legislators, discussing our children, and for you to make laws re our children, with the assumption that you know better than us as parents re this thing we call "parenting"? Hence, "safe zones".

Since you are the ones hearing this and will judge the need for this in our schools for our children, how many of you are parents?

Sent from my iPad

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 28, 2014 7:28 AM
To: FINTestimony
Cc: kidoe808@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

LATE

SB2211

Submitted on: 3/28/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Edna Kido	Individual	Oppose	No

Comments: I oppose this bill. It should be handled by HPD and Social Services. Invest my tax monies into these two departments.

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TESTIMONY to House Committee on Finance

SB2211 SD2 HD2 Relating to Youth

Friday, March 28, 2014

2:00 PM -- State Capitol Conference Room 308

LATE

Submitted in **OPPOSITION** by: Mary Smart, Mililani, HI 96789

Chairman Luke, Vice-Chairs Johanson and Nishimoto, and Members:

There are too many problems with this bill therefore **a vote against SB2211 SD2 HD2 is most appropriate.**

Children safer in the home of their biological parents than they are at school, foster homes or state run programs. Hawaii maintains a list of Hawai'i's missing children. Right now there are approximately 74 people on the list, some of whom may have been taken by their non-custodial parent others who were already in being given services . Currently about 63 are under the age of 21 and about 20 children on the list have been missing under a year. More than one may have already been receiving government help as evidenced by the statement: " Last Seen: On 02/11/14, child ran from COYSA in Haleiwa." More than one person ran away from Central Oahu Youth Services Association (COYSA) in Haleiwa. State services failed these children.

<http://ag.hawaii.gov/cpja/mcch/hawaiis-missing-children/>

Children rebel from parental authority for many reasons. It is not surprising children want a place where they can do whatever they want, that is the desire of all children. Parents must teach their children to control those wants. Children who aren't disciplined and know no limits will disregard rules/ laws and blame everyone but themselves for their problems. A government program that interferes with or supersedes parental authority is not healthy for our community.

There are other troubling initiatives that could be contributing to our children's rebellion to parental authority. Hawai'i is abuzz about the sexually explicit sex education programs being promoted in our schools. Parents want the curricula removed while BOE drags their feet the blatantly pornographic material. According to an article written by J. Matt Barber, the FBI reports that pedophiles groom children to participate in sexual activities by exposing and teaching them about various sexual experiences. He states: " Today's Kinseyan "comprehensive sex education" model, embraced by Barack Obama and other "progressives," is nothing short of educational malpractice. It's child corruption. It's criminally reckless. It's undeniably "grooming" children for sex. " It is not surprising after being sexualized from as early as eleven years old, that some children believe that he/she is mature enough to make risky decisions without parental guidance.

<http://cnsnews.com/blog/j-matt-barber/hhs-grooming-children-sex-using-tactics-mirroring-fbis-pedophile-profile>

The availability of "safe places" is a very bad and harmful concept. Predators are drawn to programs that give them access to vulnerable children. The program would attract people who could pose a serious danger to the children seeking the services. If schools are involved their liability would increase and open them to lawsuits wasting valuable time and funds that should be focused on education, not social services. The state of Hawaii and its parents cannot afford the program for both economic and safety reasons nor should the State take on the liabilities that the state would incur for children abused in these programs.

Recent news articles expose the rampant sexual abuse of students by their teachers. For every abusive teacher caught, there are probably many more who go undetected. The link provided here lists 13 pages of women with about 12 - 20 women per page who were charged or convicted of sexually assaulting students.

<http://www.wnd.com/2014/03/39783/>

Male teachers also take advantage of students. One teacher was in the papers as recently as March 24, 2014.

<http://www.longisland.com/news/03-25-14/ward-melville-hs-teacher-arrested-for-sexually-abusing-student.html> and: <http://www.ktuu.com/news/news/fairbanks-teacher-charged-with-sexually-abusing-male-student/25172140>

Social workers backgrounds can be just as lurid:

<http://www.standard.net/stories/2014/01/27/former-davis-social-worker-pleads-guilty-sex-abuse-teen-client>

A therapist in Utah admitted sexually abusing someone he was supposed to help.

<http://www.alabamanevnewsday.com/national/33725-utah-therapist-jailed-for-sexually-abusing-mormon-patient-14.html>

And if the child is taken away, can the foster parent be trusted? Not necessarily. Even a foster parent who is a social worker married to a nurse can seriously harm a child who has been placed in their care like the ones who handcuffed their foster child to the porch and tied a dead chicken around his neck.

<http://www.hlntv.com/article/2013/11/16/dead-chicken-porch-social-worker-arrested-child-abuse> or: <http://www.fostercarenews.co.uk/foster-carer-herbert-moss-jailed-for-sexual-abuse-of-young-girls/>

Even people who should be role models (firefighters) can't be trusted:

<http://www.komonews.com/news/crime/Seattle-firefighter-charged-with-having-sex-with-a-minor-246039671.html>

The bill has no clear definition of what occurs in a safe place or the criteria for running it. Shamefully, the "Anti-bullying Czar", Dan Savage, has proven to be a bigot and bully toward Christian students. If our national administration can let someone as unstable and immature as Dan Savage, I can't believe that the schools would do any better.

<http://www.breitbart.com/Breitbart-TV/2012/04/28/Anti-Bully-Savage-Bullies-Christians>

For equal access to services, if you create a "safe-place" for one type of issue, you would have to have a "safe-place" for all. Christians seem to be the people who are bullied the most. Ex-gays are also bullied freely in our culture that refuses to acknowledge their ability to choose for themselves their sexual behaviors. Conservative African American's are also harassed and called names freely. How will these under-served groups be protected in the "safe places" program?

The purpose of our public school is to teach children specific academic subjects. It is not to indoctrinate into a progressive ideology nor to dumb them down so they can easily assimilate with 3rd world countries who subsist in an agrarian civilization. Ever since God was driven out of the schools and secular humanism has been promoted, it is not surprising that the students are having more and more problems. If schools would bring prayer back to the classroom, problems would probably decrease dramatically.

If a child has a problem, regardless of age, he or she should be taken to the Principal's office and a parent called immediately. The Principals' office should be a safe place until the parent arrives. No person should intervene without a parent's permission unless the child has reached the age of 18 and mentally competent. If the Board of Education cannot guarantee the child's safety until the parent arrives, the school should be closed immediately.

There were recently articles in the news regarding an 18 year old young woman who left her parental home when she wasn't willing to obey the house rules. According to an article, the young woman spent two nights with a boyfriend. Rachael made the decision to leave, yet, with an entitlement attitude, she sued her parents to fund her lifestyle and pay for her advanced education. This instance typifies the ungrateful and rebellious child that would seek a "safe place". Instead of coddling bad behavior, the state must uphold parental values and hold children accountable for their behavior.

<http://www.cnn.com/2014/03/04/justice/student-sues-parents-new-jersey/>and yet,

I know young man who was sent to "camp" to help him mature to manhood. He was expelled from the first program and entered a second program where he made some progress, until he decided he didn't want to obey rules any longer. Even though his food and lodging were paid in advance (approximately \$4000/month), he chose to go to a

homeless shelter with no rules, free food and beds. By giving him an alternative, his opportunity to mature was negatively impacted. The "safe-place" alternative can also keep a child from receiving the guidance and discipline they need from a loving parent.

Children should not be able to sign waivers as if they were an adult. There is a reason 18 is the minimum age for signing contracts. The fact that the age of participation spans from 14 to 21 makes the younger participants very vulnerable either to the person in charge or others in the program.

There are already plenty of social services agencies to provide services to families in need. We don't need schools to duplicate those services and we can't afford to pay for that duplication. If they aren't working, fix the problem, don't start a new program.

If you really cared about children you would give them the following information and encourage them to aspire to a marriage between one man and one woman for life for the following reasons:

- Children raised in intact married families are more likely to attend college, are physically and emotionally healthier, are less likely to be physically or sexually abused, less likely to use drugs or alcohol and to commit delinquent behaviors, have a decreased risk of divorcing when they get married, are less likely to become pregnant/impregnate someone as a teenager, and are less likely to be raised in poverty. ("Why Marriage Matters: 26 Conclusions from the Social Sciences," Bradford Wilcox, Institute for American Values, www.americanvalues.org/html/r-wmm.html)
- Children receive gender specific support from having a mother and a father. Research shows that particular roles of mothers (e.g., to nurture) and fathers (e.g., to discipline), as well as complex biologically rooted interactions, are important for the development of boys and girls. ("Marriage and the Public Good: Ten Principles," 2006, www.princetonprinciples.org)
- A child living with a single mother is 14 times more likely to suffer serious physical abuse than is a child living with married biological parents. A child whose mother cohabits with a man other than the child's father is 33 times more likely to suffer serious physical child abuse. ("The Positive Effects...")
- In married families, about 1/3 of adolescents are sexually active. However, for teenagers in stepfamilies, cohabiting households, divorced families, and those with single unwed parents, the percentage rises above 1/2. ("The Positive Effects...")

<http://www.usccb.org/issues-and-action/marriage-and-family/children/children.cfm>

For these reasons I respectfully request you vote against SB2211 SD2 HD2.

LATE

Testimony against SB 2211

March 27, 2014

To: Chair Luke, Vice Chairs Nishimoto and Johanson, and members of the House Finance Committee
From: Sue Felix
Subject: Opposition to SB 2211 (safe places for youth program)

I strongly object to SB 2211, a problematic bill which proposes to create and fund a new state-run youth services program with over-reaching authority, and which would allow minors to “consent to receive services from a service provider...”

I have reviewed the written testimonies submitted to the committees which have previously heard this bill, and it is apparent that some of the bill’s supporters have a wrong impression that this program would work in conjunction with the National Safe Place program.

Headquartered in Louisville, Kentucky, the National Safe Place program is about immediate help and safety -- it provides immediate access to crisis intervention services and shelter to runaway, homeless and troubled street youth. Many of these youths and their families have experienced abuse, exposure to violence, and/or trauma. Safe Place is not run by a government-paid teen-services czar as is proposed by SB 2211. It is a non-profit organization which oversees a private-public network of more than 20,000 private and public locations which display the Safe Place sign or decal – this is in 1,566 communities across the nation which provide emergency shelters for troubled youths (see <http://nationalsafeplace.org> and <http://yarmuth.house.gov/press/louisvillebased-national-safe-place-chosen-to-coordinate-federal-assistance-program>).

I would not object to our state partially funding this service in Hawaii. To be an eligible affiliate of Project Safe Place, programs must meet established standards, which I have attached to this testimony for your information. Service providers must have 24-hour accessibility, and be non-profit licensed or state-approved emergency shelters or host homes programs for youth. For funding, approved organizations rely on federal, state and municipal sources, as well as on private funding. They “must demonstrate an ability to provide sufficient matching resources (cash or in-kind) to maximize delivery of Safe Place services in the community” (see http://www.in.gov/dcs/files/Attachment_A_Service_Description_Project_Safe_Place.pdf).

I would like to know why SB 2211 fails to include any statistics to illustrate the current extent of teen homelessness and runaways in Hawaii. How well are organizations like Hale Kipa and Maui Youth and Family Services addressing their needs which arise from genuine crises (see <http://www.myfs.org/about.html> and https://www.halekipa.org/?page_id=178). The State’s Office of Youth Services already works with organizations providing youth residential services (its Emergency Shelter, Ke Kama Pono Safe House, Intensive Residential, and Independent Living Services programs) (see <http://humanservices.hawaii.gov/oys/office>). Where and how are our youths in genuine crisis not getting their needs met, and why? I think our lawmakers need to consider the priorities – smoking cessation and other proposed non-emergency services listed in SB 1122 are simply not high priorities considering our poor economy.

This bill is much, much broader in scope than the vision of National Safe Place, and a state-run program would not qualify to be an affiliate. Unfortunately, this proposed 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. It is not just about providing immediate help for youths in genuine crisis; its intent is to give the state coordinator the power to choose community organizations to provide “specific advice, guidance, programs, and services” concerning a number of

teen issues. This bill makes the word "crisis" subjective and arbitrary. It would unnecessarily add another bureaucratic layer and funding for services which are already available to our teens. By permitting minor teens to provide their consent to 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, whenever possible. It will divide families because it enables minors to disregard the natural authority of their parents. I do not want our lawmakers to fund or enable any state agency to further break down parental rights or our families.

Children do not have a legal ability to negotiate terms or conditions. Teens will not truly know what they are consenting to, no matter what a service provider subjectively believes. 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.

Significantly, it seems parents might need to engage the courts in order to invalidate the 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 minor teen and of the service provider would trump the rights of a parent to parent, based on arbitrary definitions of "harm", even in non-emergency situations.

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. 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.

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, especially in non-emergency situations. 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.

The drafters of SB 2211 have hijacked a successful concept and then, using some -- "some" -- of the language found on the National Safe Place website, they have imposed their own agendas in structuring this legislation. The state should not be directing a project like this. 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 legislation does not propose that the service providers work in conjunction with parents. Instead, it would usurp parental rights and 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.

In January I testified against another Keiki Caucus bill which had been drafted by LGBTQ activists. I am grateful that the House Education Committee had the wisdom to not move that bill forward. The Keiki Caucus includes within its membership representatives from Planned Parenthood and at least a few LGBTQ activists. I have no doubt they have helped to draft SB 2211, so they would have even easier access to our children in public schools.

On behalf of the many parents who would absolutely fight this bill if they knew about it, I ask this House committee to vote "no" on SB 2211.

If this bill is passed, we opponents will do our best to make sure voters know which of our lawmakers do not give much value to parental rights.

Respectfully,

Sue Felix, MSW

(attachment: National Safe Place information and service standards)

ABOUT NATIONAL SAFE PLACE ORGANIZATION

<http://nationalsafeplace.org>

Safe Place is a national youth outreach program that educates thousands of young people every year about the dangers of running away or trying to resolve difficult, threatening situations on their own. This easily-replicated initiative involves the whole community to provide safe havens and resources for youth in crisis.

Safe Place creates a network of Safe Place locations — schools, fire stations, libraries, grocery and convenience stores, public transit, YMCAs and other appropriate public buildings – that display the yellow and black diamond-shaped Safe Place sign. These locations extend the doors of the youth service agency or emergency shelter throughout the community. Youth can easily access immediate help wherever they are.

Our Mission

Our mission is to provide access to immediate help and supportive resources for all young people in crisis through a network of sites sustained by qualified agencies, trained volunteers and businesses.

National Safe Place Statistics: 1983 – March 1, 2014:

- 146,401 Youth have been connected to immediate help and safety at Safe Place locations
- 156,294 Youth have received counseling by phone as a result of Safe Place school outreach
- 135 Safe Place programs operated by youth service agencies (including ten communities with a Safe Place designated shelter)
- 39 Safe Place states
- 20,050 Safe Place sites available across the country
- 1,504 Communities served by Safe Place

Excerpt from Wikipedia:

National Safe Place is a non-profit organization based out of [Louisville, Kentucky](#). It originated in 1983 from an initiative known as "Project Safe Place",^[1] established by a short-term residential and counseling center for youth ages 13 to 17.^[2] The organization is intended to provide nationwide support with a "safe place" to children and adolescents who are "at risk" or in crisis situations.^[3] The purpose is to both defuse a potential crisis situation, as well as provide immediate counsel and support so that the child in crisis may be directed to an appropriate shelter or accredited care facility.

Businesses and community buildings such as fire stations and libraries are designated as "Safe Place" sites. Any youth in crisis can walk into one of the nearly 20,000 Safe Places across the country and ask an employee for help. These locations display the yellow, diamond-shaped Safe Place sign on their location. Inside, employees are trained and prepared to assist any young person asking for help. Youth who go to a Safe Place location are quickly connected to the nearby youth shelter. The shelter then provides the counseling and support necessary to reunify family members and develop a plan to address the issues presented by the youth and family.



The "safe place" logo promoted by National Safe Place. It appears in various locales throughout the United States for children and adolescents in need of refuge from crisis situations.

PROJECT SAFE PLACE SERVICE STANDARDS

All Project Safe Place programs must meet national standards and be licensed by National Safe Place. Programs must explain how Project Safe Place complements the mission of their agency and how it addresses juvenile delinquency prevention, the single core role of youth service bureaus that is funded by DCS.

The Safe Place program consists of five components:

- **Crisis Intervention:** Project Safe Place staff is available 24/7 to all Safe Place sites and referral sources. Upon receiving a referral, project staff immediately assess the situation and eliminate existing safety concerns while providing comfort to the youth; begin crisis intervention by interviewing the youth, the referral source or Safe Place site personnel and parents/guardians of youth in-crisis. Along with immediate intervention, the youth and family are given referrals to appropriate community resources.
- **Community Outreach/Education:** Project Safe Place staff provides information to increase awareness of the program through school and community presentations and events. Middle and high schools may be targeted to provide services to youth. Community presentations increase community awareness as well as maintain Safe Place social networking sites to educate youth and adults.
- **Volunteer Recruitment and Maintenance:** Youth outreach groups consisting of youth who have previously been helped through Safe Place may be formed to assist with helping more at-risk youth. Volunteers are continually recruited through high schools and through the community.
- **Site Recruitment and Maintenance:** Safe Place programs maintain sites by conducting annual site checks and providing training as appropriate to insure that procedures are followed. Programs may recruit sites as needed to cover their agency geographic areas.
- **Program Evaluation:** Utilization of the National Safe Place (NSP) database allows for data collection to evaluate program outcomes and effectiveness. Safe Place programs must submit data electronically to the NSP database monthly by the 15th of the following month in order for the programs to remain in compliance with program standards.

Eligibility Requirements

The following eligibility criteria are based on National Safe Place standards. Applicants must demonstrate their ability to comply with these criteria:

- Sponsorship of Project Safe Place is limited to non-profit licensed or state approved emergency shelters or host homes programs for youth.
- The applicant agency (not interpreted as a Safe Place site) must be accessible to youth 24 hours a day 365 days a year.
- Crisis intervention counseling services must be provided to each youth. Programs should provide individual, family, and group counseling on a short and/or long term basis.
- Options for out-of-home placement of youth must be available for any youth seeking help through Project Safe Place on a 24 hour basis. Age limitations are determined by each agency's licensure and referrals to age-appropriate placements must be made for youth who fall outside the agency age limits.
- Client confidentiality must be maintained at all levels of outreach (youth, Safe Place sites, Safe Place volunteers, program staff, referrals).
- Applicant agencies must provide appropriately trained and resourced staff to furnish Safe Place services in the five program components.
- Applicant agencies must demonstrate an ability to provide sufficient matching resources (cash or in-kind) to maximize delivery of Safe Place services in the community.

Source: http://www.in.gov/dcs/files/Attachment_A_Service_Description_Project_Safe_Place.pdf

Mrs. Kerrie Villers
Honolulu, Hawai'i 96816



March 27, 2014

House Committee on Finance
Hawai'i State Capitol
415 S. Beretania Street
Honolulu, Hawai'i 96813

RE: Testimony in Opposition to S.B. No. 2211, S.D.2, H.D.2

Dear Chair Luke and Committee Members,

My name is Kerrie Villers. I am a constituent of House District 21 and Senate District 10. I am writing in strong opposition to S.B. No. 2211, S.D.2, H.D.2.

This bill presents the broad issues of abuse, neglect, domestic violence, and bullying as those which will be addressed and remedied in this measure through the creation of so called "safe places." Yet when discussing specifics situations, the bill lists "problems at home, issues at school, trouble with peers, being thrown or locked out of the house, riding with an unsafe driver, [and] being in a dangerous dating situation" as some of the "crises" so extreme that the usurpation of parental rights by a non-governmental agent is fitting. Simply absurd.

Our state has numerous agents and agencies that act to address and properly remedy situations of abuse, neglect, domestic violence, and bullying. Trained professionals from CPS to teachers and counselors are supported by our tax dollars because these are entities that operate under oversight and within the bounds of Constitutional and lower laws, observing the rights afforded to all individuals while tending to the needs of youth in our society. More funding should be dedicated towards supporting these agencies and others already in existence, which currently work in concert as a cooperative network to attend to the well-being of youth who encounter real crises.

This bill gives undue power and authority without oversight to a single individual, who, without any set of required standards, is able to select groups, individuals, and entities that may impose upon parental rights at will, for issues that are not crises. There is no criteria or minimum requirements concerning professional training or qualifications listed for those who will be selected to provide the services noted in the bill. Nor is there any criteria laid out as to how the "program coordinator" is selected and what the requirements are for filling this position.

Additionally, the bill improperly categorizes adults aged 18-21 as youth. Any adult having "problems at home", "issues at school", "riding with an unsafe driver," etc. may make any decision he or she wishes as to where and how to live to improve his or her life, which includes seeking counseling or a safer place to reside. Creating these new places for adults is unnecessary

as we already have the capacity to choose to move ourselves out of dangerous situations and into safe spaces which currently exist. Adults, even young adults, must responsibly decide where they will take themselves, whom they will socialize with, and what situations they will place themselves in. If there is a situation involving coercion or abuse, the adult must contact the police or other appropriate authority.

Concerning the issue of minors, the bill attempts to violate parental rights guaranteed in the US Constitutional Amendments and affirmed by the Supreme Court of the United States. Parents have the **fundamental** right to direct both the education and upbringing of their children. This right is so strong that the courts have affirmed it time and again. To impose upon that right, a court order must be obtained after an assessment of the situation by a qualified governmental agency who has conducted an investigation.

This bill proposes bypassing the court system and the proper investigation process that should be undertaken if parental rights are to be intruded upon. It gives individuals, groups, and organizations selected by one person the ability to decide, without any investigation into a situation, whether the parent is fit or not. It is not the place of **any** individual in our nation, outside of a formal judicial proceeding, to determine that a parent is unfit and that parental rights should be terminated or temporarily suspended.

The US Supreme Court affirmed in Troxel v. Granville, 530 U.S. 57(2000) that "it cannot now be doubted that the Due Process Clause of the Fourteenth Amendment protects the fundamental right of parents to make decisions concerning the care, custody, and control of their children." So it is not only improper, but is a violation of our Constitutional rights for our state legislature to pass a bill that would give any individual the ability to remove parental rights by providing treatment to a minor apart from or in direct opposition to a parent's expressed desires without due process. The Court has consistently recognized parental rights as fundamental, requiring the highest standard of review. Yet this bill would remove the entire process of judicial review, placing the rights of the parents at the mercy and inclination of an individual who will base his decision upon his belief of potential harm a minor may encounter, and this is to be made apart from any concrete evidence.

Rather than establishing a situation where lawsuits against the state for violation of constitutional rights and freedoms is sure to follow, this legislative body should be seeking other remedies to address the problems at hand and bolster the entities already in existence which handle these situations properly.

Thank you.

Sincerely yours,

Kerrie Villers
Resident of House District 21

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 27, 2014 6:14 PM
To: FINTestimony
Cc: birthpang@gmail.com
Subject: Submitted testimony for SB2211 on Mar 28, 2014 14:00PM

LATE

SB2211

Submitted on: 3/27/2014

Testimony for FIN on Mar 28, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Bobbie Pang	Individual	Oppose	No

Comments: There are safe place agencies already in place, school counselors, teachers, physicians, child psychologists, pastors etc. We don't need to use our tax payer dollars for another expensive five year pilot program for our children. Use monies to support agencies that are in place and counselors in schools.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

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

LATE

From: Maren Cantrell, Kailua, HI 96734

Hearing: SB2211

My name is Maren Cantrell 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.

Bullying is a problem and there is in fact data that backs this up at this website:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

“Statistics have shown that approximately 30 percent of American children report being involved in some way with the issue of bullying. In fact, when you look at the more objective data sources - physical appearance (or the general concept of appearing different than one’s peers) is usually the most common reason reported for why victims are targeted. This can involve a whole slew of issues, such as one’s weight, a girl who is developing physically faster than others, a child who wears glasses, or a boy who acts more effeminate than his peers, etc, etc. And statistics indicate that it is race & ethnicity issues along with opposite-sex harassment that accounts for a large percentage of bullying issues.

The fact is, there are many different groups of children who are at high risk of being bullied. Students who struggle with obesity, for instance, are 65 percent more likely to be bullied; children with disabilities as much as 85 percent more likely. That’s why, when you look at the big picture involving all kids who are at high risk of being bullied, they are all equally important. So we should be sending the message that a bully’s actions are always wrong for any reason regardless of why they target the victim.”

When it comes to “safe zones” or “safe spaces” though, I think the issue is whether or not the state should be involved in managing or designating these at all. While on the surface this all may sound very nice, this bill is problematic for several reasons.

First, I do not believe it is in the best interest of the state to get involved in the business of micromanaging our neighborhood communities and schools. Parents, schools and community based organizations already exist to address the issue of safety. One example is the Protecting Hawaii’s Ohana, Children, Under Served, Elderly and Disabled (PHOCUSED) organization. This statewide coalition of health, housing and human services organizations already exists to help children. There is also the YMCA/YWCA’s and family centers in various neighborhoods. It is these people and these existing organizations who are the ones most capable of developing policies based on the specific needs of their own particular community. In my own neighborhood of Kailua for example, I can think of a number of “safe” places for children (e.g., the Boys and Girls Club, the after school programs, the various churches, etc.). The point is we have things in place. If they are not “safe spaces” then they should be shut down. If they are not safe and receive government funding, withdraw all monies and close them.

Second, I think we should look at other states that have gone down this path and learn from them. It’s been well documented that similar policies that have been adopted by other states have been used not only to undermine parental rights but also to marginalize individuals whose viewpoints are perceived as being “politically incorrect” by homosexual advocacy groups. “It is becoming increasingly clear that many of these anti-bullying and safe zone initiatives are just the latest of subtle tactics by activists to infiltrate classrooms under safe zones.”¹

We can certainly learn from documented cases how anti-bullying/safe zone policies are being used to leverage homosexual advocacy messages in public schools, circumvent parental rights and religious freedom protections. Here are but a few:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

Alameda, California: *On the same day that the state’s highest court upheld Proposition 8—an amendment defining marriage as only between a man and a woman—the Alameda school board pushed through a curriculum that promoted*

¹ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

homosexuality and gay marriage to elementary kids. Parents who objected discovered they could not opt their kids out of this teaching—even if it conflicted with their families’ most deeply held religious convictions or they just didn’t think their children were psychologically prepared to handle the topics. So how did the school board justify promotion of same-sex marriage to 6, 7 and 8 year olds?

Alameda education officials adopted the curriculum in the name of fighting bullying. They justified their actions by citing state and local “student safety” and “nondiscrimination” policies that include protection for “sexual orientation.” “These laws and policies mandate public schools prevent discrimination and harassment based on legally protected categories. The laws and policies explicitly state that we must protect gay, lesbian, bisexual and transgender students and staff.”

While everyone can agree that every single child—including those who identify as gay and lesbian—should be protected from harm, the problem is that school officials used these laws and policies to go far beyond that objective. Basically, the school officials interpreted legally mandated “protection” to mean forced homosexuality education for all.

Iowa: *Iowa is another state that passed a homosexual-themed bullying law. As a result, local government education agencies began providing a training course for public school teachers called “How to Make My Classroom Safe for LGBT students.” The syllabi have included things like screenings of the movie *Brokeback Mountain*, as well as training on how to use books like *And Tango Makes Three*, which promotes same-sex relationships to elementary kids. Once again, the “Rationale” given in the syllabi cited state nondiscrimination laws with the usual two categories, “sexual orientation” and “gender identity.”*

New Jersey: *Even though New Jersey already had strong anti-bullying provisions, in 2008, then-Gov. Jon Corzine signed a law setting up a Commission on Bullying in Schools. Throughout 2009, public hearings were held by the Commission. Homosexual activists groups—including the Gay, Lesbian and Straight Education Network—showed up at every single one of them, asking for things like “mandatory school trainings, student workshops, curriculum inclusion, and related initiatives.”*

Illinois: *In Illinois, where a law similar to Alameda’s was recently passed, there were parents who tried “to protect their elementary age children from being presented with homosexual-themed books and videos promoted in the name of*

“safe schools.” In fact, these parents discovered that a “safe schools” training done at their elementary school went so far as to list “family values” and “faith systems” as “perceived obstacles.” Then ironically enough, there was one mom who pointed out that “the school system no longer felt very “safe” for her family’s viewpoint.”

The Gay, Lesbian and Straight Education Network (GLSEN) already have their own dedicated effort to establish safe spaces for LGBT in schools. In fact, they even advertise on their website their campaign to “place a Safe Space Kit in every middle school and high school in the country.”²

With this bill then, are we to assume that GLSEN will not somehow be a partner in this “network” of safe places? Will they be the ones to “provide ongoing training of school personnel, community members, and providers designated as safe places for youth” as outlined in the bill?

From the beginning, GLSEN — the brainchild of President Obama’s controversial “Safe Schools czar” Kevin Jennings — has supported schools that take a “whole-school approach, incorporating gay issues into their curricula, their extracurricular activities, their assemblies, their faculty and parent education programs, and other areas from kindergarten through twelfth grade.”³

We should not be sending a message (whether intentional or not) that only some children are worthy of being protected because of how they self-identify or because they belong to a certain group. All kids should be protected.

The link below contains the chart that I used when looking at this bill. It compares good policies with bad policies.

<http://media.citizenlink.com/truetolerance/AntiBullyingPolicyYardstick.pdf>

In this bill that is being proposed, there is no definition of what is meant by the word “bullied.” Thus, it seems to me that this becomes open to a very broad interpretation. What about the issue of minors being able to sign enforceable contracts without parental consent? This bill also lacks exceptions for religious, political, or philosophical speech that is protected by the First Amendment. Furthermore, it mentions “training of school personnel, community members and

² <http://glsen.org/safespace>

³ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

service providers” and this opens the door to improper and unlawful attempts to “re-educate” people to help them “think” or “believe” the “right thing.”

As a parent, I believe the most effective way to address the issue of bullying is through policies that provide strong and equal protection to all. Policies should emphasize the wrong actions of the bully, rather than the reasons or excuses that bullies use but these should be handled at the lowest level of government possible. The state should not be micromanaging communities for safe zones. This is something that can be better handled at a much lower level and as previously stated, many organizations already exist within the state to help children. Bullying is a serious problem that can and should be addressed in a way that does not politicize the issue and that respects parental rights and students’ religious freedom.

Please do not vote for this bill.

Sincerely,

Maren Cantrell

LATE

Aloha! My name is Mary Higa. I'm a married to a honored soldier in the Air Force and 45-year-old mother of two wonderful elementary school boys in Waipahu. Thank you for your service and for the opportunity to provide testimony regarding SB2211. I urge you to please oppose this bill.

I have read S.B. No. 2211 S.D. 2 H.D.1 twice to ensure that I understand the content, plan and purpose of the bill and what wording is used.

I agree that there have been and will continue to have too many cases of child abuse that have and possibly will not be satisfactorily addressed before trauma, pain or death has already occurred to the child. I had been a child of child abuse myself by my parents and uncle for over 11 years. I was also bullied from fourth through eighth grade in a State of Hawaii school. I have tried counseling, school "programs", reading self-help books, etc. but was still depressed, angry and hurt from being mistreated by people who was supposed to give care, support and love. After years of desperately wanting to be free from the pain, I finally found my complete healing through Jesus Christ and am very thankful.

When I grew up with that type of emotional baggage, it inflicted my mind with confusion as to how love should be. I have read the entire curriculum of Pono Choices and was literally shocked by the brazen explanations and approval of having sex and children out of wedlock. I'm sorry but it's has low moral standards. If I were to have seen this as a kid, I'd be more confused today and would probably be a nymphomania because the program literally taught me how to have vaginal, oral, anal, homosexual, and traditional sex. Once you teach a child how to do something, it's engrained in their influential brain. They will keep practicing until they perfect it.

The reason why I bring Pono Choices up is because S.B. No. 2211 S.D. 2 H.D.1 keep stating that a "youth pilot program" will be subjected to the minor. Is Pono Choices equivalent or show any similarities to this "youth pilot program"? Instead, kids like this need a morally, loving instruction to help them gain mature wisdom for their future, healing from their past and immediate direction for their present.

Please consider the aftermath of whatever bill you pass. You all are uniquely positioned to impact the future for good or bad. Choose well.

finance8-Danyl

LATE

From: Dar Rita-Sarmiento <kolohewahine99@hotmail.com>
Sent: Friday, March 28, 2014 11:34 AM
To: Rep. Sylvia Luke; FINTestimony
Subject: Re: SB2211

*I am against this bill.
Please Vote to stop it.*

Thank you

Darline M. Rita-Sarmiento BA, CMA
Kauai, Hawaii

LATE TESTIMONY
Bernard Henderson
March 28, 2014

To: To Members of the House Committee
on Judiciary

The state should not be involved in
creating safe zones; & open 582211
for the following reasons. An
article all should be protected,
No bullying should be tolerated.
When there is a safe zone
that means that there is war
going on. You can't just protect
a select few - all rest our
deligence & protection. Students
are made up of student
body - don't separate the body
they are all students.
A safe zone will create
into your choice for a safer
reason that is chosen. It is
no benefit to any student or
make her good the intention
may be
a as called safe zone also
means that we can be a target.

Sincerely
Bernard Henderson

LATE TESTIMONY

To: Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair
Members of the House Committee on Finance

From: Susan Duffy, Ewa Beach, HI

Hearing: SB2211

My name is Susan Duffy 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 and 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 has some problems and I think they deserve to be pointed out.

According to the bill, this establishment of safe places is designed to keep kids safe while they are in school and from living in abusive homes. First, if we are saying that our schools are not presently safe for students then I suggest that they be shut down. Administrators, faculty and security personnel are derelict in their duties if kids are now allowed to be bullied on school grounds. If these schools are so presently unsafe why are they being allowed to remain so? Has anybody been disciplined or fired for failing to protect innocent children?

Parents absolutely expect their children to be safe in the public schools. Why would any parent want to purposely send their child to a school that isn't safe? Better yet, why would any child want to go a school that was not safe? If school safety is a problem, far better that it be solved at the lowest level possible as opposed to having the state intervene by getting on the "safe spaces" bandwagon that currently seems so in vogue. It seems to me that the school personnel are themselves the ones best equipped to deal with this problem. Either the schools are safe or they are not. I suspect that there are mechanisms already in place to address bullying. Organizations made up of parents, teachers and students (PTSO) are just but one of many local groups that are far better equipped to handle this type of thing than legislators are. They know the people in their communities and

they know what goes on in their respective neighborhoods. As a parent, I am opposed to the state government having to create a law for this type of thing.

Since this bill specifically addresses bullying, just what types of bullying are we talking about? Are we talking about all types of bullying or just the bullying of a select few who are intent upon pushing a certain political agenda? Again, I would suggest that the schools themselves can handle this. PTSO's can work with the schools to address these issues. As a parent, I think it is much wiser to focus on dealing with the perpetrators of said bullying as opposed to trying to create "safe places." When it comes to this concept of "safe spaces" there certainly is enough evidence to suggest that this is a term being used by activists to promote legislation that pushes their unpopular societal goals.

Is this bill also meant to cover bullying outside of school? If so, where is the evidence? Where are all the class action lawsuits for civil rights violations? I am quite certain that the newspaper and television news would be awash with stories indicating patterns of harassment or abuse by such perpetrators. Surely there is no lack of desire on the part of journalists to cover any sensational stories that are out there?

The bill also references the home as not necessarily being a safe place. Again, no one denies that a child should have to stay in an abusive home but is that not why we have an agency called Child Protective Services? Do we not have a family court system already established that exists to serve as an intervention for these type of circumstances?

Why does the bill not take into account other abusive situations that might occur? There are any number of stories in the news about abusive teachers, social workers, coaches, religious leaders, therapists, etc. We should not assume the very worst about parents and the very best about everyone else.

Indeed, when I look at this bill it seems to me that there are a whole new set of questions that must be asked when the state decides it needs to get involved between parents and their children. What does it mean by a minor being able to give consent to a social agency provided that "the youth understands?" How is that determined or measured?

One might ask where the statistics are regarding the number of teenage runaways, homeless, etc.? Where are the numbers to support the establishment of a law like this? How in the world can you determine a budget for something like this without

data to support it? Is the state so flush with extra cash that it can afford to throw money at something that has no numbers to support it?

Why this sudden call for springing into action during this legislative session? Who stands to gain if politicians support this type of legislation that has been put forth by so many social service agencies? Why the emphasis on this being the “number one priority” for the Keiki Caucus because that’s what “they” wanted. What children are on the Keiki Caucus and who are the adult mentors? Are there children from all islands represented? What are their ages?

Who exactly is driving this legislation and why? Who is lobbying for it?

Is there a lot of money involved that we should know how about? And if so, how much? How will this be funded year and year? Who decides which agencies will be the recipients of these funds?

When it comes to “safe zones” or “safe spaces”, I think the real issue is whether or not the state should be involved in managing or designating these at all. While on the surface this all may sound very nice, this bill is problematic for several reasons which I have already identified. I am also attaching at enclosure my previous testimony regarding this bill along with the testimony provided by family law attorney Sandra Young who also provided testimony last week. Her testimony in particular seems to ask some of the smartest questions and was also submitted in opposition to this bill.

I do not believe it is in the best interest of the state to get involved in the business of micromanaging our neighborhood communities and schools. Parents, schools and community based organizations already exist to address the issue of safety. While I can appreciate your desire to help kids, this is not the way to do it. Please do not fund this bill.

Sincerely yours,

Susan Duffy

2 Encl

SANDRA G. Y. YOUNG
Attorney at Law
P.O. Box Z897 Aiea, Hawaii 96701
Telephone: (808) 4878464

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 of the 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?

5. 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

Encl 1

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

From: Susan Duffy, Ewa Beach, HI

Hearing: SB2211

My name is Susan Duffy 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.

Bullying is a problem and there is in fact data that backs this up at this website:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

“Statistics have shown that approximately 30 percent of American children report being involved in some way with the issue of bullying. In fact, when you look at the more objective data sources - physical appearance (or the general concept of appearing different than one’s peers) is usually the most common reason reported for why victims are targeted. This can involve a whole slew of issues, such as one’s weight, a girl who is developing physically faster than others, a child who wears glasses, or a boy who acts more effeminate than his peers, etc, etc. And statistics indicate that it is race & ethnicity issues along with opposite-sex harassment that accounts for a large percentage of bullying issues.

The fact is, there are many different groups of children who are at high risk of being bullied. Students who struggle with obesity, for instance, are 65 percent more likely to be bullied; children with disabilities as much as 85 percent more likely.

That's why, when you look at the big picture involving all kids who are at high risk of being bullied, they are all equally important. So we should be sending the message that a bully's actions are always wrong for any reason regardless of why they target the victim."

When it comes to "safe zones" or "safe spaces" though, I think the issue is whether or not the state should be involved in managing or designating these at all. While on the surface this all may sound very nice, this bill is problematic for several reasons.

First, I do not believe it is in the best interest of the state to get involved in the business of micromanaging our neighborhood communities and schools. Parents, schools and community based organizations already exist to address the issue of safety. One example is the Protecting Hawaii's Ohana, Children, Under Served, Elderly and Disabled (PHOCUSED) organization. This statewide coalition of health, housing and human services organizations already exists to help children. There is also the YMCA/YWCA's and family centers in various neighborhoods. It is these people and these existing organizations who are the ones most capable of developing policies based on the specific needs of their own particular community. In my own neighborhood of Ewa Beach for example, I can think of a number of "safe" places for children (e.g., the Boys and Girls Club, the Salvation Army's KROC Center, the after school programs, the various churches, etc.). The point is, we have things in place. If they are not "safe spaces" then they should be shut down. If they are not safe and receive government funding, withdraw all monies and close them.

Second, I think we should look at other states who have gone down this path and learn from them. It's been well documented that similar policies that have been adopted by other states have been used not only to undermine parental rights but also to marginalize individuals whose viewpoints are perceived as being "politically incorrect" by homosexual advocacy groups. "It is becoming ever increasingly clear that many of these anti-bullying and safe zone initiatives are just the latest of subtle tactics by activists to infiltrate classrooms under safe zones."¹

We can certainly learn from documented cases how anti-bullying/safe zone policies are being used to leverage homosexual advocacy messages in public schools, circumvent parental rights and religious freedom protections. Here are but a few:

¹ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

Alameda, California: *On the same day that the state's highest court upheld Proposition 8—an amendment defining marriage as only between a man and a woman—the Alameda school board pushed through a curriculum that promoted homosexuality and gay marriage to elementary kids. Parents who objected discovered they could not opt their kids out of this teaching—even if it conflicted with their families' most deeply held religious convictions or they just didn't think their children were psychologically prepared to handle the topics. So how did the school board justify promotion of same-sex marriage to 6, 7 and 8 year olds?*

Alameda education officials adopted the curriculum in the name of fighting bullying. They justified their actions by citing state and local “student safety” and “nondiscrimination” policies that include protection for “sexual orientation.” “These laws and policies mandate public schools prevent discrimination and harassment based on legally protected categories. The laws and policies explicitly state that we must protect gay, lesbian, bisexual and transgender students and staff.”

While everyone can agree that every single child—including those who identify as gay and lesbian—should be protected from harm, the problem is that school officials used these laws and policies to go far beyond that objective. Basically, the school officials interpreted legally mandated “protection” to mean forced homosexuality education for all.

Iowa: *Iowa is another state that passed a homosexual-themed bullying law. As a result, local government education agencies began providing a training course for public school teachers called “How to Make My Classroom Safe for LGBT students.” The syllabi have included things like screenings of the movie *Brokeback Mountain*, as well as training on how to use books like *And Tango Makes Three*, which promotes same-sex relationships to elementary kids. Once again, the “Rationale” given in the syllabi cited state nondiscrimination laws with the usual two categories, “sexual orientation” and “gender identity.”*

New Jersey: *Even though New Jersey already had strong anti-bullying provisions, in 2008, then-Gov. Jon Corzine signed a law setting up a Commission on Bullying in Schools. Throughout 2009, public hearings were held by the Commission. Homosexual activists groups—including the Gay, Lesbian and Straight Education Network—showed up at every single one of them, asking for things like*

“mandatory school trainings, student workshops, curriculum inclusion, and related initiatives.”

Illinois: *In Illinois, where a law similar to Alameda’s was recently passed, there were parents who tried “to protect their elementary age children from being presented with homosexual-themed books and videos promoted in the name of “safe schools.” In fact, these parents discovered that a “safe schools” training done at their elementary school went so far as to list “family values” and “faith systems” as “perceived obstacles.” Then ironically enough, there was one mom who pointed out that “the school system no longer felt very “safe” for her family’s viewpoint.”*

The Gay, Lesbian and Straight Education Network (GLSEN) already has their own dedicated effort to establish safe spaces for LGBT in schools. In fact, they even advertise on their website their campaign to “place a Safe Space Kit in every middle school and high school in the country.”²

With this bill then, are we to assume that GLSEN will not somehow be a partner in this “network” of safe places? Will they be the ones to “provide ongoing training of school personnel, community members, and providers designated as safe places for youth” as outlined in the bill?

From the beginning, GLSEN — the brainchild of President Obama’s controversial “Safe Schools czar” Kevin Jennings — has supported schools that take a “whole-school approach, incorporating gay issues into their curricula, their extracurricular activities, their assemblies, their faculty and parent education programs, and other areas from kindergarten through twelfth grade.”³

We should not be sending a message (whether intentional or not) that only some children are worthy of being protected because of how they self-identify or because they belong to a certain group. All kids should be protected.

The link below contains the chart that I used when looking at this bill. It compares good policies with bad policies.

<http://media.citizenlink.com/truetolerance/AntiBullyingPolicyYardstick.pdf>

² <http://glsen.org/safespace>

³ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

In this bill that is being proposed, there is no definition of what is meant by the word "bullied." Thus, it seems to me that this becomes open to a very broad interpretation. What about the issue of minors being able to sign enforceable contracts without parental consent? This bill also lacks exceptions for religious, political, or philosophical speech that is protected by the First Amendment. Furthermore, it mentions "training of school personnel, community members and service providers" and this opens the door to improper and unlawful attempts to "re-educate" people to help them "think" or "believe" the "right thing."

As a parent, I believe the most effective way to address the issue of bullying is through policies that provide strong and equal protection to all. Policies should emphasize the wrong actions of the bully, rather than the reasons or excuses that bullies use but these should be handled at the lowest level of government possible. The state should not be micromanaging communities for safe zones. This is something that can be better handled at a much lower level and as previously stated, many organizations already exist within the state to help children. Bullying is a serious problem that can and should be addressed in a way that does not politicize the issue and that respects parental rights and students' religious freedom.

Please do not vote for this bill.

Sincerely,

Susan Duffy

LATE TESTIMONY

Mr. Bryn Villers
Constituent of House District 21

To: House Committee on Finance

Re: Opposition to SB 2211 SD2 HD2

Dear Chair Luke, Vice Chairs Johanson and Nishimoto, members of the House Committee on Finance:

My name is Bryn Villers and my testimony is in strong opposition to SB 2211 SB2 HD2. While the intent of the measure is certainly arising from care for our keiki and a desire to see them protected, the content is irrevocably flawed and must be deferred indefinitely.

Bullying, teen suicide, and runaway youth have received a great deal of media exposure in recent times. Violence and abuse in the home can destroy families. SB 2211 will not fix these problems but rather will aggravate them and possibly place children at greater risk for long-term harm.

My primary objections to the establishment of so-called "safe places" are as follows:

1. SB 2211 conflates youth with adults.
 - a. Treats 14 year-olds the same as 21 year-olds.
 - b. At 18, if a person is displeased with their treatment at home they have the right to leave the house, they are adults not youth.
 - c. Will they be intermingled? It seems potentially dangerous to allow a 20 year-old male who suffered sexual abuse to be in close consort with a 15 year-old female who is struggling with substance abuse.
 - i. See "Cycle of child sexual abuse: links between being a victim and becoming a perpetrator" by M. Glasser et. al. *The British Journal of Psychiatry* (2001) 179: 482-494
2. SB 2211 establishes an extra-governmental authority structure that is too powerful and can invest others with too much authority.
 - a. One person (program coordinator) has the capability to name "service providers" (SPs)
 - b. Those SPs then have the authority to determine:
 - i. if a 14-18 year-old "in crisis" "understands the benefits, responsibilities, risks, and limits of the service provider and services". If the "youth" is "in crisis" it is highly unlikely they will be in a mental or emotional state to show that level of understanding, and if they can then they are likely not in such immediate need that CPS or the police or any of the dozen agencies already assigned the duty to help them cannot be called.
 - ii. if the "information available" is sufficient to **OVERRULE** the "parent, legal guardian, or legal custodian" when they refuse consent, without an investigation or a court order of any kind.

- c. The bill also proposes to establish “temporary housing opportunities” for the “youth in crisis”. The implications of this are that the SPs have the authority to be “refused consent” from the parent and still “house” the youth without telling the police or even informing the parents where the child is.
- 3. SB 2211 does not identify qualifications of the SPs
 - a. Counselors, teachers, CPS, therapists, police and all other state sanctioned individuals who engage in similar interactions with our keiki are trained/certified.
- 4. “Youth in Crisis” is vaguely and problematically defined:
 - a. “Problems at home” – if the situation is *not* abusive then it is for the family to work out, and if the child feels they are being abused (not that they are displeased or “don’t feel free”, but *abused*) then they talk to their teachers, their other family members, their school counselors, the police, and CPS. “Problems at home” is a meaningless phrase because it has no borders.
 - b. “Issues at school” – a borderless phrase. There are authority structures in place to deal with this. If the current structures are underfunded (and they *are*) move funding in their direction and encourage enforcement.
 - c. “Trouble with Peers” – a borderless phrase.
 - d. Frankly, when it comes to most of these situations it is between the children and the parents. If there is *abuse* then CPS and police get involved. To create an entity that has the authority to overrule a parent in, functionally, *any* situation that the youth wants will *destroy* all parental authority.
 - e. SB 2211 will undermine parental discipline (not abuse but good discipline) by providing somewhere to “have fun” that children can run away to.
- 5. Lastly, though there is much more
 - a. Section 2, subsection (d)
 - i. part (1) will there be a test?
 - ii. part (2) same question.
 - iii. part (3) how do you define “safety” and “well-being”?

Line by line this bill is fraught with vagaries and highly probable “unintended consequences”. Rather than taking more tax dollars to set up another new position and start another agency, please help by supporting the agencies that are already doing these jobs.

The family needs the help. Taking more of their money won't give them more time to parent properly, but rather force them to work longer hours, spend less time with their children, and lead them to parent more harshly because they must parent more quickly.

Ultimately, this kind of Legislation can't solve these kinds of problems—it can only make them worse.

Thank you for the opportunity to testify.

LATE TESTIMONY

To: Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Representative Aaron Ling Johanson, Vice Chair
Members of the House Committee on Finance

From: Susan Duffy, Ewa Beach, HI

Hearing: SB2211

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Sincerely yours,

Susan Duffy

2 Encl

SANDRA G. Y. YOUNG
Attorney at Law
P.O. Box Z897 Aiea, Hawaii 96701
Telephone: (808) 4878464

Date: March 19, 2014

To: House Committee on Judiciary

Re: Opposition to SB 2211 SD2 HD 1

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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 of the 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?

5. 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

Encl 1

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Representative Sharon E. Har, Vice Chair
Members of the House Committee on Judiciary

From: Susan Duffy, Ewa Beach, HI

Hearing: SB2211

My name is Susan Duffy 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.

Bullying is a problem and there is in fact data that backs this up at this website:

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

“Statistics have shown that approximately 30 percent of American children report being involved in some way with the issue of bullying. In fact, when you look at the more objective data sources - physical appearance (or the general concept of appearing different than one’s peers) is usually the most common reason reported for why victims are targeted. This can involve a whole slew of issues, such as one’s weight, a girl who is developing physically faster than others, a child who wears glasses, or a boy who acts more effeminate than his peers, etc, etc. And statistics indicate that it is race & ethnicity issues along with opposite-sex harassment that accounts for a large percentage of bullying issues.

The fact is, there are many different groups of children who are at high risk of being bullied. Students who struggle with obesity, for instance, are 65 percent more likely to be bullied; children with disabilities as much as 85 percent more likely.

That's why, when you look at the big picture involving all kids who are at high risk of being bullied, they are all equally important. So we should be sending the message that a bully's actions are always wrong for any reason regardless of why they target the victim."

When it comes to "safe zones" or "safe spaces" though, I think the issue is whether or not the state should be involved in managing or designating these at all. While on the surface this all may sound very nice, this bill is problematic for several reasons.

First, I do not believe it is in the best interest of the state to get involved in the business of micromanaging our neighborhood communities and schools. Parents, schools and community based organizations already exist to address the issue of safety. One example is the Protecting Hawaii's Ohana, Children, Under Served, Elderly and Disabled (PHOCUSED) organization. This statewide coalition of health, housing and human services organizations already exists to help children. There is also the YMCA/YWCA's and family centers in various neighborhoods. It is these people and these existing organizations who are the ones most capable of developing policies based on the specific needs of their own particular community. In my own neighborhood of Ewa Beach for example, I can think of a number of "safe" places for children (e.g., the Boys and Girls Club, the Salvation Army's KROC Center, the after school programs, the various churches, etc.). The point is, we have things in place. If they are not "safe spaces" then they should be shut down. If they are not safe and receive government funding, withdraw all monies and close them.

Second, I think we should look at other states who have gone down this path and learn from them. It's been well documented that similar policies that have been adopted by other states have been used not only to undermine parental rights but also to marginalize individuals whose viewpoints are perceived as being "politically incorrect" by homosexual advocacy groups. "It is becoming ever increasingly clear that many of these anti-bullying and safe zone initiatives are just the latest of subtle tactics by activists to infiltrate classrooms under safe zones."¹

We can certainly learn from documented cases how anti-bullying/safe zone policies are being used to leverage homosexual advocacy messages in public schools, circumvent parental rights and religious freedom protections. Here are but a few:

¹ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

<http://media.citizenlink.com/truetolerance/politicizedbullyingpolicies.pdf>

Alameda, California: *On the same day that the state's highest court upheld Proposition 8—an amendment defining marriage as only between a man and a woman—the Alameda school board pushed through a curriculum that promoted homosexuality and gay marriage to elementary kids. Parents who objected discovered they could not opt their kids out of this teaching—even if it conflicted with their families' most deeply held religious convictions or they just didn't think their children were psychologically prepared to handle the topics. So how did the school board justify promotion of same-sex marriage to 6, 7 and 8 year olds?*

Alameda education officials adopted the curriculum in the name of fighting bullying. They justified their actions by citing state and local “student safety” and “nondiscrimination” policies that include protection for “sexual orientation.” “These laws and policies mandate public schools prevent discrimination and harassment based on legally protected categories. The laws and policies explicitly state that we must protect gay, lesbian, bisexual and transgender students and staff.”

While everyone can agree that every single child—including those who identify as gay and lesbian—should be protected from harm, the problem is that school officials used these laws and policies to go far beyond that objective. Basically, the school officials interpreted legally mandated “protection” to mean forced homosexuality education for all.

Iowa: *Iowa is another state that passed a homosexual-themed bullying law. As a result, local government education agencies began providing a training course for public school teachers called “How to Make My Classroom Safe for LGBT students.” The syllabi have included things like screenings of the movie Brokeback Mountain, as well as training on how to use books like And Tango Makes Three, which promotes same-sex relationships to elementary kids. Once again, the “Rationale” given in the syllabi cited state nondiscrimination laws with the usual two categories, “sexual orientation” and “gender identity.”*

New Jersey: *Even though New Jersey already had strong anti-bullying provisions, in 2008, then-Gov. Jon Corzine signed a law setting up a Commission on Bullying in Schools. Throughout 2009, public hearings were held by the Commission. Homosexual activists groups—including the Gay, Lesbian and Straight Education Network—showed up at every single one of them, asking for things like*

“mandatory school trainings, student workshops, curriculum inclusion, and related initiatives.”

Illinois: *In Illinois, where a law similar to Alameda’s was recently passed, there were parents who tried “to protect their elementary age children from being presented with homosexual-themed books and videos promoted in the name of “safe schools.” In fact, these parents discovered that a “safe schools” training done at their elementary school went so far as to list “family values” and “faith systems” as “perceived obstacles.” Then ironically enough, there was one mom who pointed out that “the school system no longer felt very “safe” for her family’s viewpoint.”*

The Gay, Lesbian and Straight Education Network (GLSEN) already has their own dedicated effort to establish safe spaces for LGBT in schools. In fact, they even advertise on their website their campaign to “place a Safe Space Kit in every middle school and high school in the country.”²

With this bill then, are we to assume that GLSEN will not somehow be a partner in this “network” of safe places? Will they be the ones to “provide ongoing training of school personnel, community members, and providers designated as safe places for youth” as outlined in the bill?

From the beginning, GLSEN — the brainchild of President Obama’s controversial “Safe Schools czar” Kevin Jennings — has supported schools that take a “whole-school approach, incorporating gay issues into their curricula, their extracurricular activities, their assemblies, their faculty and parent education programs, and other areas from kindergarten through twelfth grade.”³

We should not be sending a message (whether intentional or not) that only some children are worthy of being protected because of how they self-identify or because they belong to a certain group. All kids should be protected.

The link below contains the chart that I used when looking at this bill. It compares good policies with bad policies.

<http://media.citizenlink.com/truetolerance/AntiBullyingPolicyYardstick.pdf>

² <http://glsen.org/safespace>

³ http://media.citizenlink.com/truetolerance/p9_June_Jul_Citizen_10_antibullying.pdf

In this bill that is being proposed, there is no definition of what is meant by the word "bullied." Thus, it seems to me that this becomes open to a very broad interpretation. What about the issue of minors being able to sign enforceable contracts without parental consent? This bill also lacks exceptions for religious, political, or philosophical speech that is protected by the First Amendment. Furthermore, it mentions "training of school personnel, community members and service providers" and this opens the door to improper and unlawful attempts to "re-educate" people to help them "think" or "believe" the "right thing."

As a parent, I believe the most effective way to address the issue of bullying is through policies that provide strong and equal protection to all. Policies should emphasize the wrong actions of the bully, rather than the reasons or excuses that bullies use but these should be handled at the lowest level of government possible. The state should not be micromanaging communities for safe zones. This is something that can be better handled at a much lower level and as previously stated, many organizations already exist within the state to help children. Bullying is a serious problem that can and should be addressed in a way that does not politicize the issue and that respects parental rights and students' religious freedom.

Please do not vote for this bill.

Sincerely,

Susan Duffy