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HB 2340

Measure Title: RELATING TO CRIMINAL HISTORY RECORDS CHECKS UNDER THE CHILD PROTECTIVE ACT.

Report Title: Child Protective Act; Criminal History Records Checks

Description: Amends the Child Protective Act so that when an assessment is required the Department of Human Services is authorized to conduct criminal history checks without the consent of an alleged perpetrator of harm or threat of harm and all adult household members living in the family home with the alleged victim child. (HB2340 HD1)

Companion: [SB2869](#)

Package: Governor

Current Referral: HMS, JDL

Introducer(s): SOUKI (Introduced by request of another party)



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DATE: March 15, 2016

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

FROM: The Kapi'olani Child Protection Center
A Program of Kapi'olani Medical Center for Women and Children

RE: Testimony in Strong Support of H.B. 2340 H.D. 1
Relating to Criminal History Records Checks Under the Child Protective Act

Good morning Chair Chun Oakland, Vice Chair Riviere, and members of the Senate Committee on Human Services.

The Kapiolani Child Protection Center (KCPC) strongly supports H.B. 2340 H.D. 1, which amends the Child Protective Act to allow the Department of Human Services (the Department), when investigating a report that a child is subject to imminent harm, to conduct criminal history records checks without the consent of the alleged perpetrator(s), and any adult household members living in the family home with the child.

Child abuse and neglect remain serious threats to the safety, health and wellbeing of children and young people in the State of Hawai'i. The Department's "A Statistical Report on Child Abuse and Neglect in Hawai'i" reflects that 3,681 cases of abuse and neglect were reported in 2014 involving 3,494 children. This is especially concerning as child maltreatment is vastly underreported.

The Kapi'olani Child Protection Center is contracted as part of the Department's multidisciplinary professional team for the review of reported cases of child abuse and neglect. In this capacity, we help the Department to evaluate whether a child has experienced past harm due to maltreatment and the extent to which they remain at risk in the future. The focus of such assessments is to prevent the child from coming to further harm and to develop an appropriate response in each case.

The success of each review and the resulting plan to keep the child safe, is premised on the availability of accurate and complete information concerning the circumstances that gave rise to the report of maltreatment, including whether the alleged perpetrator(s) of abuse and neglect, and the adults who live with the child, have relevant criminal histories. In particular, episodes of violence, substance abuse, and criminally reckless or negligent behaviors are highly predictive of child maltreatment.

Moreover, it is important that the Department be able to re-check criminal records throughout the duration of child abuse and neglect cases, in the event that new arrests or criminal convictions occur that may require that the plan to protect the child be amended.

H.B. 2340 H.D. 1 would aid Hawai'i's effort to effectively combat child abuse and neglect by

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clarifying the Department's authority to timely access to the criminal records of alleged perpetrators, and any adults living with the child, that are necessary to assess and plan for the safety of child victims of maltreatment.

Therefore, we respectfully urge you to join us in strongly supporting H.B. 2340 H.D. 1.