

To: Hawaii State House of Representatives Committee on Finance
Hearing Date/Time: Thursday, April 2, 2015, 3:30 p.m.
Place: Hawaii State Capitol, Room 308
Re: Testimony of Planned Parenthood of Hawaii in support of S.B. 979, SD2

Dear Chair Luke and Members of the Committee on Finance,

Planned Parenthood of Hawaii (“PPHI”) writes in support of S.B. 979, SD2, 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 to that end 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 offers youth easily accessible, safe, and confidential environments where they can deal with issues like peer pressure, unintended 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 in support of S.B. 979.

Sincerely,

Laurie Field
Director of Public Affairs & Government Relations

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1350 S. King Street, Suite 310
Honolulu, HI 96814
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250 Vineyard Street
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FamilyProgramsHawaii.com

TO: Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair
Committee on Finance

HEARING: Thursday, April 2, 2015
3:30 PM
Conference Room 308

FROM: Judith Wilhoite
Family Advocate
Family Programs Hawaii
It Takes An `Ohana

RE: SB979 – Relating to Youth

Thank you for the opportunity to testify. I am the Family Advocate for Family Program Hawaii's It Takes An `Ohana (ITA0) program and a resource caregiver, formerly referred to as foster parent. I, along with my Advisory Committee, strongly support SB 979.

In my position, I have regular contact with current and former foster youth. I have had youth call to ask for help in finding a safe harbor when running from a living situation that is unsafe. I have had little resources to offer them. If this bill were to pass, I would be able to direct them to a Safe Place where they are able to sign themselves in, without their parents' permission, to receive support. This can mean:

- That youth are able to be safe while the issues in the youth's life are sorted out.
- There is time to de-escalate what might be a potentially volatile situation, thus preventing violence and other destructive actions, saving everyone time and money.

I thank both the Legislature and all those who have worked on this issue for youth for this opportunity to share strong support for SB 979.

We help kids



A 501(C) (4) organization associated with Hawaii Family Forum

ONLINE TESTIMONY SUBMITTAL
House Committee on Finance
Hearing on April 2, 2015 @3:30
Conference Room #308

DATE: April 1, 2015

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

FROM: James R. "Duke" Aiona, Jr. Interim President & CEO

RE: Strong Opposition on SB 979 Relating to Youth

My name is James R. "Duke" Aiona, Jr., and I have been an attorney in Honolulu since 1981. I have also served the people of Hawaii as a Family and Circuit Court Judge of the First Circuit (1990 – 1998) and I also served as the first Administrative Judge of the Hawaii Drug Court Program (1994-1997). Currently I am also the interim president of Hawaii Family Advocates, a 501(c)(4) independent expenditure, non-candidate organization. We are strongly opposed to this proposed bill.

In short, the proposed bill possesses more harm than good.

In its policy statement to this bill the authors' state in its closing paragraph, "The legislature finds that for the safety and wellbeing of Hawaii's Youth, youth should have access to safe places and appropriate services." A fair interpretation of this statement is that the legislature is of the position that we do not currently have a system in place that protects our children and provides appropriate services. I would submit that the current child protection system, though not perfect, protects the harms sought to be protected and provides the services sought to be provided by this proposed bill. If this is not true then this bill should be much more transparent and clearer in stating how this bill will either replace or supplement our current child protective system. Put another way the legislature should explain why this is not just another layer of bureaucracy and added costs for another child protective program.

Although the policy statement to this bill states that the creation of safe places is not to replace parents, the provisions of this bill are at odds with this statement. This bill gives a service provider of these safe places the unfettered discretion to determine - *whether they believe the youth in crisis would incur more harm or be subject to threatened harm if the youth in crisis returns immediately to the home of the parents, legal guardian, or legal custodian.* This decision in most occasions would be made by a worker with the safe place service provider who may be just a few years older than the youth in crisis. The proposed bill makes no reference that such a determination would be made by a committee, licensed social worker, family crises therapist, or anyone of similarly qualified credentials either by education, training, or experience. In short a worker's discretion with a designated service provider trumps the consent and will of child's parent.

P.O. Box 2757 • Honolulu, HI 96803 • Phone: 808-429-4872

E-mail: info@hffaction.org | Website: www.hffaction.org

HAWAII FAMILY ADVOCATES

A 501(C) (4) organization associated with Hawaii Family Forum

The proposed bill is also subject to abuse by an adolescent who does not agree with a parents discipline and/or child raising philosophy. Once this proposed system is interjected into their lives, it will always be their life line to any disagreements, arguments, or blowouts that they encounter with their parents. It will truly be a place, as stated in the policy statement of this bill, where they can *have fun without the fear of being* (I would submit in their mind) *harassed, bullied, or pressured by other ... adults.*

As a former family court judge who has presided over countless cases that involved situations of intolerable home and school environments, I understand the intent of this bill. However, it is much more than caution when I state that this proposed bill take us down the wrong path. The current system that we have provides the necessary system and services for our youth whose safety and wellbeing is placed in jeopardy. The concerns raised by youth at the annual children and youth summit must be put in its proper context. First and foremost it is a gathering of **selected youth**. I would submit that they are not an across the board representation of Hawaii's youth. Safe places exist in our boys and girls club, local YMCA programs, youth sports, and numerous art and science clubs. Time and effort should be expended in creating and strengthening the partnerships with these clubs, organizations, and leagues. The personnel, departments, and agencies that are equipped to do this are already in existence on the county, state, and federal level.

This bill is not necessary, and will produce numerous unintended consequences that will create more harm than good.

Mahalo for the opportunity to submit our concerns.

FIN-Jo

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 01, 2015 1:18 PM
To: FINTestimony
Cc: kat.caphi@gmail.com
Subject: Submitted testimony for SB979 on Apr 2, 2015 15:30PM

SB979

Submitted on: 4/1/2015

Testimony for FIN on Apr 2, 2015 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kat Brady	Community Alliance on Prisons	Comments Only	Yes

Comments: Aloha Chair Luke, Vice Chair Nishimoto & FIN Committee Members! This bill has been a priority identified by our youth at Children & Youth Day celebrations for several years. When we hear their voices and listen to their needs, we are a stronger and healthier society. Please hear our youth. Community Alliance on Prisons wants them to all reach their fullest potential so they don't become the next wave of incarcerated individuals. Please pass SB 979 and allow them to have safe places to go in times of need. Mahalo nui for this opportunity to testify.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 31, 2015 3:15 PM
To: FINTestimony
Cc: tasymons56@gmail.com
Subject: Submitted testimony for SB979 on Apr 2, 2015 15:30PM

SB979

Submitted on: 3/31/2015

Testimony for FIN on Apr 2, 2015 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Symons	Individual	Support	No

Comments: Strong support.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 31, 2015 4:42 PM
To: FINTestimony
Cc: janai@hawaii.edu
Subject: *Submitted testimony for SB979 on Apr 2, 2015 15:30PM*

SB979

Submitted on: 3/31/2015

Testimony for FIN on Apr 2, 2015 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Janai Miki	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 01, 2015 8:34 AM
To: FINTestimony
Cc: kekumupono@gmail.com
Subject: *Submitted testimony for SB979 on Apr 2, 2015 15:30PM*

SB979

Submitted on: 4/1/2015

Testimony for FIN on Apr 2, 2015 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Allyson Okamoto	Individual	Oppose	No

Comments:

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Aloha Representatives;

I oppose SB 979 SD2.

The bill states that service providers at these "safe places" may counsel and give services to youth without parent's consent provided:

- (1) The service provider has not, despite reasonable efforts, been able to contact the parent, legal guardian, or legal custodian of the youth in crisis;**
- (2) The service provider has made contact with the parent, legal guardian, or legal custodian of the youth in crisis; the 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 youth in crisis would incur harm or would be subject to threatened harm if the youth in crisis returned immediately to the home of the parent, legal guardian, or legal custodian; or**
- (3) The youth in crisis has refused to provide contact information for the parent, legal guardian, or legal custodian of the youth in crisis, and the service provider reasonably believes that the youth in crisis would incur harm or would be subject to threatened harm if the youth in crisis returned immediately to the home of the parent, legal guardian, or legal custodian.**

I believe that none of the reasons stated above qualifies to override a parent's consent, care and authority. No provider should be allowed to counsel or give services to a youth on potential life altering decisions such as drug abuse, suicide, or pregnancy without a parent's consent simply because they have not been able to get in touch with them or the teen refuses to give them contact information. Many teens may not want their parents' involvement although that is precisely what they need most. Also, if a parent says "no", then the answer is no! . Who better to help youth make the best decisions than those who know them best? It is quite misguided to think that some service provider at a "safe house" who sees a teen a few hours a week would know their needs or care about them more than their parents.

I know there is a population of teens whose parents' may not respond correctly, but that is small compared to the general public which you will be denying the right to best parent their children.

There are already programs that offer safety if the child in crisis "would incur harm or would be subject to threatened harm if the youth in crisis returned immediately to the home of the parent, legal guardian, or legal custodian," namely CPS. If the youth is in this kind of potential harm, authorities should be notified, and procedures followed as those done in the schools.

Please, do not further undermine the care and authority of parents over their children, their youth.

Oppose SB 979 SD2.

Mahalo for your time and thoughtful consideration.

Lisa Poulos

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 31, 2015 9:19 PM
To: FINTestimony
Cc: tharseo@gmail.com
Subject: Submitted testimony for SB979 on Apr 2, 2015 15:30PM

SB979

Submitted on: 3/31/2015

Testimony for FIN on Apr 2, 2015 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Williamson	Individual	Oppose	No

Comments: I think this bill puts a lot of good parents out, who would happily help their child who becomes pregnant at an early age, welcome that new baby into their lives, where it can be a blessing to the teenager, as well as the community. Opening this door where they do not require parental consent gives the 14 year old freedom, sure. But that does not seem like the first kind of freedom she should be due. Especially when so many 18 and over laws do not permit her to actively be an adult and require her to be in some ways dependent on a parental or legal guardian. Don't undermine the other laws we have in place, there is no additional good that can come from this and we are just undermining our society.

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TO: Rep. Sylvia Luke, Chair, Committee on Finance
Members, House Committee on Finance

FROM: Marti Tom

RE: SB 979, SD2 Relating to Youth (Safe Places)

HEARING: Thursday, April 2, 2015, 3:30pm
Room 308

I am OPPOSED to this bill for the following reasons:

- 1) There has been no needs assessment conducted by the state citing a lack of safe places for youth. Schools should be one of the places we consider to be safe. So, perhaps the state should start there. There are a number of sports organizations, churches and youth oriented facilities that offer a safe haven.
- 2) The rights of parents could be seriously undermined by a "pilot" program. One that has not been properly researched by the state nor vetted by professionals or organizations that deal with youth. Would these places really be considered "safe" by all parents?
- 3) The appropriation should go to funding our state's pressing needs such as textbooks and materials for students, building/providing safe places for homeless families (including children), and building affordable housing for the average citizen.

Thank you for your consideration.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 01, 2015 2:37 PM
To: FINTestimony
Cc: brynvillers.hi@gmail.com
Subject: Submitted testimony for SB979 on Apr 2, 2015 15:30PM

SB979

Submitted on: 4/1/2015

Testimony for FIN on Apr 2, 2015 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Bryn Villers	Individual	Oppose	No

Comments: This grants too much latitude to allow individuals who are not the parents to take over parental duties without parental consent. Children cannot be given, in good conscience, the weighty responsibility of consent to "services" (a completely undefined term) from a "service provider" (another undefined term). Who are the providers? What are they providing? This is terribly broad, and broad legislation is dangerous.

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LATE

SANDRA G. Y. YOUNG
Attorney at Law
P.O. Box 2897
Aiea, Hawaii 96701
Telephone: (808) 487-8464

Date: April 1, 2015

To: House Committee on Finance

Re: Opposition to SB979 SD2

Dear Chair Luke, Vice Chair Nishimoto and Members of House Committee on Finance:

I am a family law attorney, and possess a graduate degree in Counseling and Guidance with a focus on children. I oppose SB 979 SD2 for the following reasons.

1. There are laws, regulations and mechanisms already in place to protect children from abuse, neglect and bullying. In a genuine abuse or neglect case, a child may simply call the police, talk to their teacher/school counselor, Child Protective Services or other authority figure. The child can be removed immediately from an unsafe home, and placed into a safe home. They can also talk to another adult family member to see if the relative would be willing to take legal action, by filing a petition for guardianship and getting an order for custody of the child.

Children who are bullied in school 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 are shortages of school counselors, consider additional funding for the schools.

2. The bill undermines parental rights and creates an escape for children who habitually make destructive choices. The bill allows children who habitually engage in destructive behavior to leave their home and enjoy freedom and the option of a "Safe Place." Some of them get in trouble with an authority figure or their parents because of their own behavior: skip school, abuse drugs and alcohol, refuse to listen to their teachers or parents, refuse to complete homework assignments, refuse to do chores, abuse a younger child or even the parent, use excessive profanity, refuse to abide by parental curfews and rules, watch excessive television or play too many video games, steal, violate the law, and so forth. By giving these kinds of children a "safe place," there will be no discipline or consequences for their destructive behavior, and little reason to change.
3. A Court Order should be required in all circumstances in which a third party makes decisions belonging to a parent. Parental rights should not be subordinated to the authority Office of the Youth, some employee, or other state department without a court order. I believe it is an unconstitutional usurpation of the rights of a parent. Court orders are required for a state agency such as the Child Protective Services to have custody of a child.

Giving the Court authority and sufficient funds to address very serious problems with youth who are already engaged in destructive behavior ensures a holistic approach to the problem, including

obtaining help for the parents and the child, 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 destructive behavior. The Court can order the parents to get treatment for substance abuse, receive counseling, and participate in anger management and parenting classes. In addition, the court can order help for the child who is suffering from low self-esteem, abusing drugs, or doing poorly in school. It can also order an officer of the Court to investigate the child's allegations, as well as the contentions of the parents. With Court involvement, there will be a higher likelihood of success in improving the relationship between the parent and the child, obtaining treatment when needed and ordered by the Court, and protecting the welfare of the 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 budget shortfalls, will the State be able to adequately take care of high risk youth under its current programs? Do we have sufficient school counselors? Are there sufficient resources for mental health treatment and outpatient support? Have you funded Family Court's request for additional judges and staff? Is Child Protective Services adequately funded to address issues relating to abuse and neglect?

If not, may I suggest that the Legislature provide sufficient funding for high risk youth under the existing programs. 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 the 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 a high priority on Hawaii's keiki.

Sincerely yours,

Sandra Young

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, April 02, 2015 7:23 AM
To: FINTestimony
Cc: Mjkjakana@gmail.com
Subject: *Submitted testimony for SB979 on Apr 2, 2015 15:30PM*

SB979

Submitted on: 4/2/2015

Testimony for FIN on Apr 2, 2015 15:30PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Akana	Individual	Oppose	No

Comments:

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LATE

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
Members, House Committee on Finance

FROM: Scott Morishige, MSW
Executive Director, PHOCUSED

HEARING: **Thursday, April 2, 2015 at 3:30 p.m. in Conf. Rm. 308**

Testimony in Support of SB979 SD2, Relating to Youth

Thank you for the opportunity to provide testimony **in support of SB979 SD2**, which would establish a Safe Places for Youth pilot program. PHOCUSED is a nonprofit membership and advocacy organization that works together with community stakeholders to impact program and policy change for the most vulnerable in our community, including youth.

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.

HB395 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.

LATE

Testimony in Support of SB 979 SD2 – Relating to Youth
Hearing on April 2, 2015, 3:30 pm
Conference Room 308
Hawaii State Capitol

To: Committee on Finance
Rep. Sylvia Luke, Chair
Rep Scott Nishimoto, Vice Chair

Fr: Alan Shinn, Executive Director
Coalition for a Drug-Free Hawaii
1130 N. Nimitz Hwy., Suite A259
Honolulu, HI 96817
(808) 545-3228 x29

Please accept my testimony on behalf of the Coalition for a Drug-Free Hawaii in support of SB 979 SD2 – Relating to Youth. This bill directs the Office of Youth Services to coordinate a safe places pilot youth services program that establishes a network of safe places that youth in crisis, ages 14 through 18 years, can consent to services and gain access and services. It also appropriates funding for a coordinator position.

The concept of safe places for youth is appropriate and needed for Hawaii's youth. It provides an ideal opportunity to educate, train and mobilize business persons, first responders, service providers, and other community members to respond in appropriate and supportive ways to assist youth in need. Coordination with youth shelters and youth crisis response agencies would be essential in more extreme situations such as when physical and/ or sexual abuse is suspected.

This program should not supplant parental rights and all attempts should be made to involve the youth's parents and family if they are available and supportive.

The Office of Youth Services is well suited and the most appropriate agency to implement this pilot program.

Thank you for the opportunity to submit testimony on SB 979 SD2.