

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
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KIRK CALDWELL  
MAYOR

LOUIS M. KEALOHA  
CHIEF

CARY OKIMOTO  
JERRY INOUE  
DEPUTY CHIEFS

OUR REFERENCE

KH-NTK

January 23, 2017

The Honorable Josh Green, Chair  
and Members  
Committee on Human Services  
The Honorable Rosalyn H. Baker  
and Members  
Committee on Commerce, Consumer  
Protection, and Health  
State Senate  
Hawaii State Capitol  
415 South Beretania Street, Room 016  
Honolulu, Hawaii 96813

Dear Chairs Green and Baker and Members:

SUBJECT: Senate Bill No. 21, Relating to Child Care

I am Keith Horikawa, Captain of the Criminal Investigation Division of the Honolulu Police Department, City and County of Honolulu.

The Honolulu Police Department supports Senate Bill No. 21, Relating to Child Care.

This bill appropriately increases the amount of fines associated with the violations of this chapter and establishes the offense of a misdemeanor for any person who intentionally, knowingly, or recklessly violates the chapter.

We believe this legislation will improve compliance among child care providers, provide better protection to the children, and deter violations of the chapter.

The Honolulu Police Department urges you to support Senate Bill No. 21, Relating to Child Care.

Thank you for the opportunity to testify.

APPROVED:

Sincerely,

  
Cary Okimoto  
Acting Chief of Police

  
Keith Horikawa, Captain  
Criminal Investigation Division

*Serving and Protecting With Aloha*

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 11:23 AM  
**To:** HMS Testimony  
**Cc:** nowakc001@hawaii.rr.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dr. Carol Nowak	Individual	Support	No

Comments: As a Psychologist who works with children and families, please support this bill to increase the monetary penalties and establish criminal penalties for violating the laws relating to child care facilities. This bill is long overdue and holds child care providers accountable for their actions for the care of our most vulnerable keiki (ages 0-4).

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**Sent:** Monday, January 23, 2017 7:56 AM  
**To:** HMS Testimony  
**Cc:** clarice.forsyth@gmail.com  
**Subject:** \*Submitted testimony for SB21 on Jan 23, 2017 14:50PM\*

**SB21**

Submitted on: 1/23/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Clarice	Individual	Support	No

Comments:

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**Sent:** Monday, January 23, 2017 1:33 AM  
**To:** HMS Testimony  
**Cc:** carl@dpfhi.org  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/23/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carl Bergquist	Individual	Support	No

Comments: I live in Manoa, and as the father of two daughters, one currently five months old, I strongly support this measure. Frankly, as a first year law student just beginning to study criminal law, I am surprised that violations of HRS Chapter 346 are not already considered a criminal offense. Background checks are conducted to keep dangerous, criminal offenders from taking care of our keiki, so it logically follows that they must also be protected by the threat of some form of criminal punishment. A misdemeanor does appear to be very mild given the circumstances, so I would urge the committee to consider amending the bill to make violations of Chapter 346, a class c felony. Mahalo for your consideration and for the opportunity to provide testimony.

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**Sent:** Sunday, January 22, 2017 11:11 PM  
**To:** HMS Testimony  
**Cc:** afsheenahmad@yahoo.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
afsheen siddiqi	Individual	Support	No

Comments: Please support this bill. This bill provides assurances that those that violate policies that protect our children in child care face the appropriate penalties. This bill will help provide child care givers further incentives for following proper standards and safety for our keiki. I urge you to pass this bill for our children.

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**To:** HMS Testimony  
**Cc:** reemelin@hawaii.edu  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Spencer Reemelin	Individual	Support	No

Comments: Please support this bill, as people need more than a slap on the wrist for breaking the law in the childcare industry. Aloha nui, Spencerf

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**Sent:** Sunday, January 22, 2017 9:15 PM  
**To:** HMS Testimony  
**Cc:** sporck@hawaii.edu  
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**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Margaret J.S. Koehler	Individual	Support	No

Comments:

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**Sent:** Sunday, January 22, 2017 7:26 PM  
**To:** HMS Testimony  
**Cc:** pauldk@hawaii.edu  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Krushelnycky	Individual	Support	No

Comments: Increased penalties, and a means to identify violators, are needed for childcare providers that violate state laws and endanger the lives of children.

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**Sent:** Sunday, January 22, 2017 6:19 PM  
**To:** HMS Testimony  
**Cc:** sean.baumes@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sean Baumes	Individual	Support	No

Comments: "Aloha, My name is Sean Baumes, and as a working parent and community member of Oahu, I support Senate Bill 21 to improve penalties of violations in child care facilities. We are a community connected by a notion of ohana where we all serve as the aunts and uncles caring for all children of our island. As such, I am concerned by the three infant deaths in two years in Hawaii child care facilities due to unsafe sleep conditions. We have an opportunity, and I would argue a responsibility, to respond to these tragic events with an outpouring of care and call to action to ensure that our youth and the future of island is better protected from preventable harm. The majority of the individuals and centers that care for and educate our children undoubtedly do so with great attention, compassion, and proficiency. However, it is this unknowing and under performing minority that we need to protect against and by uplifting the standard of care for all, we can better serve all. This bill will help us promote compliance with regulations and in turn deter violations. I support Senate Bill 21. Thank you."

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A safe sleeping environment saves infants' lives. When the American Academy of Pediatrics started making safe sleep recommendations, SIDS rates declined. All babies should have a safe sleeping environment (put to sleep on their back, on a firm sleeping surface, without soft bedding), so that they have the best chance of surviving their first year.

I am the mother of two children. My husband and I both work full-time, so our children were in daycare when they were little. We were lucky that our daycare insisted on a safe sleeping environment for babies. **ALL families should have access to childcare that provides a safe sleeping environment for their babies.** We are entrusting our most precious, vulnerable members of our community with licensed caregivers -- and providing a safe sleeping environment should be an absolute requirement to be licensed to care for an infant. SB20 and SB21 will help make sure that licensed caregivers understand and follow these basic and crucially important principles of safe childcare. SB20 and SB21 will help save babies' lives.

My dear friend's son died when he was four months old. He was in the care of a childcare provider licensed by the state of Hawaii -- a childcare provider who promised (but did not provide) a safe sleeping environment for him. That provider lied when she said she would provide a safe sleeping environment for this sweet baby, and she lied about the circumstances of his death in her care. If SB20 and SB21 had been in effect, she would have had training in the importance of providing a safe sleeping environment, she would have had to certify that she would provide one, and there would have been penalties for her failure to do so. It is the most terrible, incomprehensible tragedy that this wonderful child is not with us today. Please, Hawaii legislators, do not allow this to happen to another baby. Please make sure that every licensed caregiver in the state has to provide a safe sleeping environment for infants.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 4:51 PM  
**To:** HMS Testimony  
**Cc:** wmeguro@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Wendy Meguro	Individual	Comments Only	Yes

Comments: Aloha, My name is Wendy Meguro, and I am a working parent and community member on Oahu. I support Senate Bill 21 which increases the monetary penalties and establishes criminal penalties for violating the laws relating child care facilities. This bill will discourage unsafe practices at child care facilities. In addition, this bill will also help us be aware of criminal violations when selecting a child care facility. I support Senate Bill 21. Thank you. Sincerely, Wendy Meguro

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**Sent:** Sunday, January 22, 2017 4:12 PM  
**To:** HMS Testimony  
**Cc:** kamal.kapadia@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kamal Kapadia	Individual	Support	No

Comments: Please pass this bill. If a child dies due to the negligence of a child care provider, this is, essentially, a type of homicide and must be treated as such. Only stringent laws and penalties can help ensure that what happened to little Wiley and Triton and Zoe does not happen again. The fact that at least three such deaths have occurred in licensed facilities in Hawaii over the past two years is unacceptable. At the moment, it seems that a child care provider can literally get away with murder, as Wiley's case shows, and go on to keep working in the care profession. Unacceptable! I invite you to imagine that it is your child or your ailing parent in this person's care, and vote on this bill based on this. We must create much stronger incentives for child care providers to follow basic safety protocols. I appeal to you as a mother, as friend of Cynthia King, and a concerned citizen. I know every single mother who uses a child care provider would sleep easier knowing that the provider has extremely strong incentives to keep our child safe. Hawaii must keep our babies safe. This bill will help to do just that. Mahalo for your consideration.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 3:09 PM  
**To:** HMS Testimony  
**Cc:** brookchapman1@mac.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brook Chapman	Individual	Support	No

Comments: It is critical that we prioritize the safety of our children and that we hold all care centers to high standards.

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**Sent:** Sunday, January 22, 2017 2:50 PM  
**To:** HMS Testimony  
**Cc:** seanyelle@gmail.com  
**Subject:** \*Submitted testimony for SB21 on Jan 23, 2017 14:50PM\*

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Seanyelle Yagi	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 2:41 PM  
**To:** HMS Testimony  
**Cc:** marthac@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Martha Cheng	Individual	Support	No

Comments: I am testifying in support of SB21. Those who violate child care laws endanger our children's lives; there needs to be a greater penalty than what is currently in place. One infant, Wiley Muir, passed away when he was entrusted to a childcare provider who had twice as many as children in her care than is allowed for in-home day care. (She had 12-14 children at the time of his death when 6 is the limit.) She was eventually caught with 14-18 children and was shut down, but she was able to find employment with Wilson Home Care as a care giver for the elderly. Such businesses conduct background checks for criminal and abuse history, however, without criminal charges on a record, there is nothing to flag such violators. We need to protect our vulnerable infants and children. Thank you for the opportunity to comment on this bill. Sincerely, Martha Cheng

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**SB21**

Submitted on: 1/22/2017

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nohea Leatherman-Arkus	Individual	Support	No

Comments:

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**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Noelani Takayesu	Individual	Support	Yes

Comments: My name is Noelani Takayesu and I am a mother to a young daughter and I am expecting another daughter in April of this year. While preparing to send my daughter to a group childcare home in 2015, I encountered a Department of Human Services licensed childcare provider who routinely engaged deceptive, unsafe and unsanitary practices within her home while caring for children. Upon further investigating this provider and engaging in a lengthy and unfruitful bankruptcy proceeding, I was shocked and utterly dismayed that there was no recourse affected parents could pursue. SB21 is a necessary step that must be taken to ensure that individuals who prey on parents of young children do not go unpunished when they put our children in harm's way. There is an expectation that when the Department of Human Services awards a license to childcare facilities that the provider(s) will follow the laws of the State of Hawaii that are in place for many reasons. Failure to do so should be met with increased monetary penalties and when applicable criminal penalties. Childcare providers can and should be held to a high standard when they are entrusted with the care and safety of our most vulnerable population, the keiki of Hawaii. I thank you for your time and thoughtful consideration of SB21.

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**To:** HMS Testimony  
**Cc:** ntarui@gmail.com  
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**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nori Tarui	Individual	Support	No

Comments:

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21 January, 2017

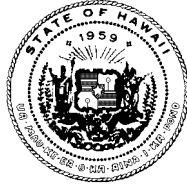
To the Hawaii State Legislature:

I'm writing to urge you to support SB21, to establish sensible penalties for violations of basic childcare safety practices in state-licensed childcare facilities. Many parents in our state must work outside the home to make ends meet and have no choice but to entrust their young children and/or infants to daycare facilities. Parents often seek out state-licensed facilities with the understanding that State licensing ensures some basic standards of safety and care. Many of us stretch our budgets to afford state-licensed facilities, hoping to keep our children safe. However, without a reasonable framework for enforcement, state licensing is a useless bureaucratic exercise. SB21 would provide basic enforceability by bringing fines for violations up to a sensible level, and establishing criminal penalties for intentional or reckless violations.

Please help protect Hawaii's children: support SB21. Thank you for your hard work.

Sincerely,  
Andrea Jani

DAVID Y. IGE  
GOVERNOR



PANKAJ BHANOT  
DIRECTOR

BRIDGET HOLTHUS  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

January 23, 2017

TO: The Honorable Senator Josh Green, Chair  
Senate Committee on Human Services

The Honorable Senator Rosalyn Baker, Chair  
Senate Committee on Commerce, Consumer Protection, and Health

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 21 – RELATING TO CHILD CARE**

Hearing: Monday, January 23, 2017, 2:50 p.m.  
Conference Room 016, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) acknowledges the efforts of the Legislature and community advocates to ensure the health and safety of children in care and offers comments. DHS respectfully defers to the respective County police departments and Prosecutors' Offices regarding enforcement and prosecution.

**PURPOSE:** The purpose of the bill is to increase the monetary penalties and establishes criminal penalties for violating the laws related to child care facilities.

Under existing DHS administrative rules, the following violations may be punishable by a fine and may also be subject to the denial, suspension, or revocation of a license or registration:

- a) Operation of a child care facility without a license or registration;
- b) Caring for more children than allowed by the facility's license or registration;
- c) Violation of the staff-child ratios;
- d) Improperly certifying staff credentials;
- e) Failure to comply with timely request for criminal history records check;

- f) Allowing conditions to exist which constitute an imminent danger to the health, welfare, or safety of the children in care; or
- g) Injuries to children due to staff/caregiver's negligence.

Under the proposed bill, any violation other than the above requirements would be subject to the increased penalties of \$5,000 for the first violation and \$10,000 for the second and each succeeding violation. Any violations of Part VIII of Chapter 346, including violation of administrative record keeping, would fall under the proposed bill as written. Therefore, DHS requests clarification of the definitions of "intentionally", "knowingly" and "recklessly" violating Part VIII of Chapter 346.

Secondly, DHS currently does not refer violations of Part VIII of Chapter 346 to the County Prosecutors' Offices nor does DHS have authority to conduct criminal investigations in these matters. Therefore, DHS would need clarification whether DHS would simply refer the matter to the County police departments to conduct such investigations for any violations of Part VIII of Chapter 346. If so, the impact of the proposed bill on the resources of the County police departments should be considered.

Finally, the maximum monetary criminal penalty for a misdemeanor offense in Hawaii is currently \$2,000. DHS defers to the law enforcement and defense communities regarding the appropriate penalties as the proposed amounts are more consistent with felony offenses.

Thank you for the opportunity to provide comments on this bill.

Committee Chair Green, Committee Chair Baker Vice Chair Chang, Vice Chair Nishihara and Committee Members,

I testify in strong support of SB 20 and SB 21, relating to Child Care. These two bills create stronger policy to safeguard infants and young children by empowering the State to intervene when a child care provider is not following established best practices.

Our family has relied on State-licensed child care facilities, and through these programs conducted an investigation into a child care provider who did not follow best practices for sleeping environments, resulting in a child dying while in their care, before deciding not to place our child with this individual. Empowering the State to more forcefully remove bad actors from providing child care is an essential protection that needs to be strengthened, and SB 20 and SB 21 are powerful step in the right direction.

SB 20 raises the minimum standard of safety for children, and SB 21 gives greater weight to encourage compliance from a child care provider with regard to children's safety. The specifics of SB 20 are in alignment with the recommendations of the American Academy of Pediatrics, an organization dedicated to the health of all children.

As a parent, I rely on the State to assist me by ensuring that the minimum level of care required for my child meets or exceeds the recommended best practices. I strongly encourage you to support this legislation on behalf of all parents.

Thank you for the opportunity to testify.

Margaret Larson

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 12:27 PM  
**To:** HMS Testimony  
**Cc:** nelsoncraige@netscape.net  
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**SB21**

Submitted on: 1/22/2017

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<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Craig Nelson	Individual	Support	No

Comments: Penalties for violations of existing and future laws in the area of childcare facility safety must be enhanced.

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**To:** HMS Testimony  
**Cc:** jpvmapa@gmail.com  
**Subject:** \*Submitted testimony for SB21 on Jan 23, 2017 14:50PM\*

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Vetter	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 10:54 AM  
**To:** HMS Testimony  
**Cc:** rubinoff@hawaii.edu  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Rubinoff	Individual	Support	No

Comments: The fact that there are currently no criminal penalties regarding violations of childcare laws is incomprehensible. To have our most vulnerable children exposed like this is unforgivable. Please pass this measure increasing the fines and giving actual teeth to the laws by assigning criminal penalties to violations of childcare laws. Children have died because of these violations! We have to make violators take the laws more seriously!

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 10:07 AM  
**To:** HMS Testimony  
**Cc:** jmuir@hawaii.edu  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
jeff muir	Individual	Support	No

Comments: I support SB21 to increase of civil penalties for day care providers who violate state laws. And I believe it is a necessity to establish misdemeanor and/or felony charges for those who recklessly violate state laws pertaining to child safety in day care.

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My name is Cynthia King and I am an individual citizen providing testimony in support of SB21. I support the increase of civil penalties for day care providers who violate state laws. And I believe it is a necessity to establish misdemeanor and/or felony charges for those who recklessly violate state laws pertaining to child safety in day care.

My son Wiley Muir, was not quite four months old when he passed away under the care of a State licensed day care provider, Therese Manu-Lee in February 2014. Manu-Lee provided conflicting stories about the circumstances surrounding his death. We now know that she was caring more than the legal number of children at the time of Wiley's death. We also now know that she had two adult men living in the house who were not approved by DHS to be present with the children. They were her sons, but they had not undergone the standard background checks and approvals. Given that her mother ran a state licensed day care prior to her taking it over, she was well aware of the requirements to disclose their presence. Other parents noted that she would at times leave her house to run errands, leaving the children with an assistant and/or her sons.

Following Wiley's death, Manu-Lee's State license was suspended while DHS supposedly conducted an investigation regarding the circumstances of this death. Despite the license suspension, Manu-Lee opened up a day care at another location and continued watching children. Over this same period, Manu-Lee took deposits from parents, and did not disclose that her license was suspended. She did not provide child care services to those parents, and many never received their money back. Despite complaints about this behavior being reported to DHS, her license was reinstated once the investigation regarding Wiley's death was closed.

In July of 2015, Manu-Lee was shut down once again. Based on a tip, DHS completed a surprise inspection of her home, and she was caught with 14 children in her care, 8 of which were infants. According to her records, a total of 18 children were receiving care, though they were not all present at the time of the inspection. Her license was again suspended, this time on the grounds of physical neglect of children, and I understand that I was supposed to be revoked. All of this information was verified to me by a DHS case worker.

But the reason my husband and I learned all of this, is not because DHS informed us. We were never called and told that the woman under whose care my baby passed away, was found to be warehousing children. The reason I found out, is that I saw her in a new job. I saw her caring for an elderly person. The State Attorney General's office has since verified to me that Therese Manu-Lee was indeed employed by Wilson Home Care. This is a trusted assisted living home health care service for the elderly on Oahu. A company that runs criminal and abuse background checks. But, after my baby died under suspicious circumstances in her care, after she committing fraud innumerable times (and eventually filed for bankruptcy), and after she was caught neglecting four times the legal number of infants, Therese Manu-Lee still has nothing to show for it on her record.

I am asking you to change this shockingly broken system, and instill real accountability. Our high quality day care providers will not fear this bill. Our high quality care providers will welcome this bill, because they love children and care about the safety of children above all else. I am not saying that all day care providers in Hawaii are like Therese Man-Lee. But if there are any people out there who make choices that put our children at risk, whether intentionally or out of sheer ignorance, they absolutely deserve to incur penalties, and be charged with a misdemeanor or a felony. I advocate that the same standard that applies to DUI's be applied to day care providers. In the case of DUI's, violators can receive misdemeanor or felony charges. Felony charges can result if an accident relating to the violation results in serious injury or fatality. I believe that this same standard should be applied to day care providers who recklessly violate child care safety laws.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 9:16 AM  
**To:** HMS Testimony  
**Cc:** nicole.s.wilson@gmail.com  
**Subject:** \*Submitted testimony for SB21 on Jan 23, 2017 14:50PM\*

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole Atwood	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, January 22, 2017 9:09 AM  
**To:** HMS Testimony  
**Cc:** kristac013@hotmail.com  
**Subject:** \*Submitted testimony for SB21 on Jan 23, 2017 14:50PM\*

**SB21**

Submitted on: 1/22/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Krista Anderson	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 10:10 PM  
**To:** HMS Testimony  
**Cc:** wseward@hawaii.edu  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
West Seward	Individual	Support	No

Comments: I believe this bill is necessary to ensure the safety of our keiki and hold child care providers accountable

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 10:05 PM  
**To:** HMS Testimony  
**Cc:** knm956@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karl Magnacca	Individual	Support	No

Comments: I am writing in strong support of SB21, for increased penalties for violating rules in child care facilities. A friend of mine recently suffered the devastating loss of their child while at a facility that was not meeting standards and was not providing adequate care. Worse, I understand that several other children have died in similar circumstances. Despite these tragic events, there is currently little penalty for even knowingly violating the rules, and hence little incentive to follow them strictly. Furthermore, those responsible continue to work in the field with no record that these deaths occurred due to their negligence. This is an opportunity to make a small, common-sense change that will save lives.

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January 21, 2017

RE: SUPPORT FOR SB21

Dear Chair Green and members of the Committee on Human Services,

Please pass this bill to amend Ch. 346-152, HRS. Penalties for violations of these rules must be strengthened and criminalized. This will reflect the seriousness of these violations that have resulted in tragic deaths in our most vulnerable populations.

Mahalo,

Emma Yuen  
1350 Ala Moana Blvd, Apt 1209  
Honolulu, HI 96814

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 3:04 PM  
**To:** HMS Testimony  
**Cc:** Km Fujita4@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kimberly Fujita	Individual	Support	No

Comments: Children having been dying due to unsafe practices for year in Hawaii. The fact that it has taken this long for laws, common in other states, to be heard is appalling. Hawaii needs safe practices to protect children and their families from going through what mine has. My family lost a precious member because a woman we trusted took advantage of us and ended in death. You would think she would be investigated and charged, but no. Due to relaxed standards people like this, people who commit manslaughter, get away. Hawaii needs to protect its children, it's future generations.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 1:55 PM  
**To:** HMS Testimony  
**Cc:** melkdean@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melissa Dean	Individual	Support	No

Comments: I support SB21. By increasing the monetary penalties and establishing criminal penalties for violating the laws relating to child care facilities, child care providers will be encouraged to be aware of and follow laws that ultimately keep Hawaii's infants safe.

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**SB21 – Relating to increasing penalties for child care.**

**Support**

**Private Citizen Testimony – Hilo, HI**

**Dr. Jesse Eiben**

**I strongly support SB21** relating to increasing penalties for improper care of Hawaii’s children. The penalties for this type of child endangerment needs to be a better deterrent and deserves higher penalties.

Pass SB21!

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 12:25 PM  
**To:** HMS Testimony  
**Cc:** dcinc100@gmail.com  
**Subject:** \*Submitted testimony for SB21 on Jan 23, 2017 14:50PM\*

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Erin Detwiler	Individual	Support	No

Comments:

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 11:34 AM  
**To:** HMS Testimony  
**Cc:** jgraham3154@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jason Graham	Individual	Support	No

Comments: Those violating laws regarding child care should be held accountable to the full extent of the law. We place our children in childcare facilities with the expectation that they will be in a safe and nurturing environment. Laws should uphold this agreement and be supported by penalties to childcare facilities that neglect to provide safe situations for our children.

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**Testimony submitted to the Senate Committees on  
Human Services  
and  
Commerce, Consumer Protection, and Health**

**In Support of Senate Bill 21: Relating to Child Care**

Monday, January 23, 2017  
2:50 PM  
Conference Room 016

Chairs Green and Baker, Vice Chairs Chang and Nishihara, and members of the committees:

Senate Bill 21 would increase fines and establish criminal penalties for violations of Hawaii laws pertaining to child care facilities. **I strongly support this measure.**

Multiple recent infant deaths in Hawaii have highlighted inadequate inspection and enforcement of policies relating to Hawaii's child care facility operators. The current fine structure and lack of criminal penalties does not adequately reflect the serious nature of child care, nor does it present an adequate deterrent to ensure the child care facility operators follow established regulations.

In Hawaii, the cost of living often dictates that both parents must work full time, making infant child care a necessity for many local families. Entrusting a child care facility operator with the health and well-being of our children is one of the most difficult parts of being a parent, and we rely on regulations, trainings, inspections, and penalties by the State of Hawaii to ensure that the child care system to which we entrust our keiki is as safe as possible.

Increased fines may act as a deterrent that encourage facility operators to follow regulations, and the establishment of criminal penalties may provide opportunities for legal recourse for parents whose children are not lawfully cared for. I strongly urge you to pass this measure.

Mahalo,

Joshua Atwood  
Honolulu HI 96825

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 9:27 AM  
**To:** HMS Testimony  
**Cc:** hicoreycherry@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
corey cherry	Individual	Support	No

Comments: As a mother and citizen I fully support this legislature and the protection of our children.

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**Sent:** Saturday, January 21, 2017 6:43 AM  
**To:** HMS Testimony  
**Cc:** rnvfishing@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roy N Morioka	Individual		No

Comments: Aloha Chair Green, Vice Chair Chang and Members of the House Committee on Human Services: Thank you for this opportunity to STRONGLY SUPPORT this bill to increase the penalties as provided. I am also of the opinion that violation of this section should be greater than a misdemeanor if the violation results in the death of an individual. Respectfully Yours, Roy N. Morioka

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 21, 2017 6:13 AM  
**To:** HMS Testimony  
**Cc:** cheryl.geslani@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/21/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cheryl Scarton	Individual	Support	No

Comments: When we do not protect our children we are not protecting our future. Without proper childcare families cannot bring in the multiple income streams required to live in this state. We need to know our children will be safe.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 20, 2017 6:30 PM  
**To:** HMS Testimony  
**Cc:** ben@bikesharehawaii.org  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/20/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ben Trevino	Individual	Support	No

Comments: I strongly support this bill and applaud the legislators who have introduced it, and scheduled it for hearing. In my estimation, there is no devastation like that of losing a child. And our state needs to take all reasonable steps to protect its children and its parents, two groups of people so essential to the social fabric of our community. These groups look to the State of Hawaii for protection, protection that the state is in a unique and critical position to provide. Thank you for supporting this effort to do so.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 20, 2017 6:19 PM  
**To:** HMS Testimony  
**Cc:** kteranis@gmail.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/20/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristen Teranishi	Individual	Support	No

Comments: I strongly support this bill. Thank you for protecting our keiki by holding negligent caretakers accountable for what has caused so much heartache for many.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 23, 2017 9:01 AM  
**To:** HMS Testimony  
**Cc:** bugman@climbaloha.com  
**Subject:** Submitted testimony for SB21 on Jan 23, 2017 14:50PM

**SB21**

Submitted on: 1/23/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Michael Richardson	Individual	Support	Yes

Comments: My name is Michael Richardson, resident of Hawaii and active voter. I am writing in strong support of Senate Bill (SB21), RELATING TO CHILD CARE, which would increase the monetary penalties and establishes criminal penalties for violating the laws relating child care facilities. This bill is a no brainer! Hawaii's youngest and most vulnerable citizens, our precious, young keiki, need vastly more protection from gross negligence that occurs in our child care facilities on a routine basis. The current penalties are too low and even this bill is actually inadequate. Please do the responsible thing and support this important measure. Sincerely, Michael Richardson, an active voter

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, January 23, 2017 10:33 AM  
**To:** HMS Testimony  
**Cc:** joshua.stanbro@gmail.com  
**Subject:** \*Submitted testimony for SB21 on Jan 23, 2017 14:50PM\*

**SB21**

Submitted on: 1/23/2017

Testimony for HMS/CPH on Jan 23, 2017 14:50PM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Josh Stanbro	Individual	Support	No

Comments:

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Dear Committees on Human Services and Commerce, Consumer Protection, and Health,

As more and more families find it necessary to turn to childcare outside the home it is important for us to be vigilant in ensuring ALL child care facilities meet the highest standards. It is the states responsibility to ensure proper penalties are in place for any child care provider who violates the standards outlined by the state. Penalties should be strictly enforced and funding should be provided to ensure this is possible. Higher penalties could provide for support for enforcement and provide families with a better safely net for their children. With these comments in mind I fully support the amendments proposed by SB21 and encourage you to pass this bill.

Thank you for your consideration.

Leah Laramee

96815

Dear Committees on Human Services and Commerce, Consumer Protection, and Health,

As more and more families find it necessary to turn to childcare outside the home it is important for us to be vigilant in ensuring ALL child care facilities meet the highest standards. It is the states responsibility to ensure proper penalties are in place for any child care provider who violates the standards outlined by the state. Penalties should be strictly enforced and funding should be provided to ensure this is possible. Higher penalties could provide for support for enforcement and provide families with a better safely net for their children. With these comments in mind I fully support the amendments proposed by SB21 and encourage you to pass this bill.

Thank you for your consideration.

Leah Laramee

96815