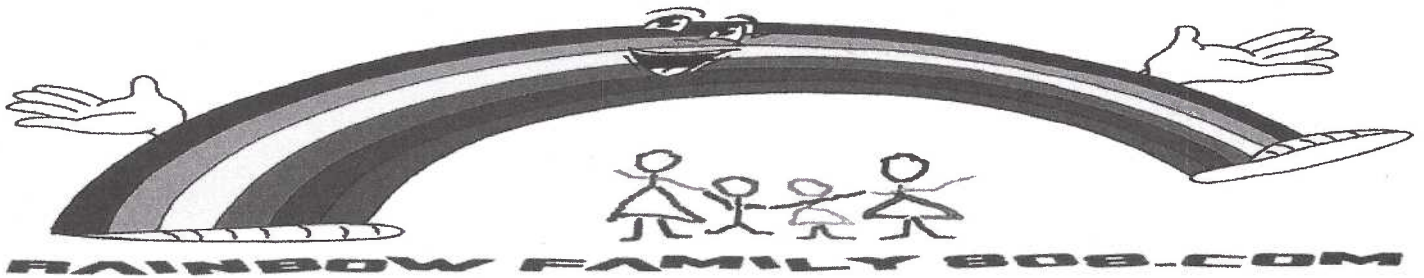


LATE TESTIMONY



92-954 Makakilo Dr. #71, Kapolei, HI 96707 Email: RainbowFamily808@gmail.com Ph: (808) 779-9078 Fax: (808) 672-6347

DATE: February 8, 2017

RE: SB499 Zero to Three **STRONG SUPPORT**

TO: Judiciary and Labor Senate Committee Hearing

Aloha Senators Keith-Agragan and Rhoads and Committee Members,

Thank you for the opportunity to **STRONGLY SUPPORT** SB 499 Zero to Three Court. Rainbow Family 808 is a support and resource organization that focuses on reaching out to all families in love, support and education.

Rainbow Family 808 sees SB 499 as an important Court that will save lives and state funds for health care costs of abused and neglected children by protecting and safe-guarding the infants and young children included in SB 499. This Zero to Three Court is developmentally and legally sound. It is also in keeping with the Hawaii Aloha Spirit.

As a Masters Level Social Worker, I've seen the effects of infant abuse from physical, mental and psychological neglect. Never holding an infant, never talking to Zero to Three infants negatively affects language skills, emotional well-being and physical advancement. If not corrected, the abuse and neglect have life-long negative developmental alives. These negative abuses form interpersonal defects that span a lifetime.

Please pass SB 499 Zero to Three Court for the welfare of our families and our state with full funding.

Respectfully,

Carolyn Martinez Golojuch
President

Statement in Support of S.B. No. 499 To Hawaii Senate Committee on the Judiciary



ZERO TO THREE
Early connections last a lifetime

Matthew E. Melmed, Executive Director (mmelmed@zerotothree.org, 202-638-1144)

On behalf of ZERO TO THREE, I strongly endorse *Senate Bill No. 499: A Bill for an Act relating to the Zero to Three Court*. It presents an opportunity to continue potentially life-saving work led by the Honorable Paul Murakami and his predecessors of the District Family Court of the First Circuit (island of O'ahu). The Zero to Three Court focuses on infants and toddlers in foster care, shortening their time in foster care, ensuring they get needed services, and helping their parents gain the skills they need to safely care for them—or the wisdom to recognize that they cannot care for their children and to relinquish them to loving members of their extended family.

Founded 40 years ago, ZERO TO THREE is a national nonprofit organization whose mission is to ensure that all babies and toddlers have a strong start in life. We translate the science of early childhood development for parents, practitioners, and policymakers. We work to ensure that babies and toddlers benefit from the family and community connections critical to their wellbeing and healthy development. Nowhere are these connections that are essential to early brain development more important than for babies in the child welfare system. Over the last decade, we have worked particularly to bring the science of early brain development to courts and communities around the country.

Honolulu's Zero to Three Court is one of 19 courts in 13 states that ZERO TO THREE has worked with to implement the Safe Babies Court Team approach. This approach has been demonstrated to significantly improve the experience of infants and toddlers in foster care. To date, three evaluations have been completed. The first study was based on an analysis of 186 cases at three sites.ⁱ The findings indicate that our approach promotes better long-term developmental outcomes for maltreated infants and toddlers:

- **Achieving the federal mandate for meeting children's medical and mental health needs:** 97% of the identified service needs of infants and toddlers served by the Court Teams had either been fully met or were in process with progress being made.
- **Timely permanency:** Timely permanency was achieved in 95% of closed Court Team cases (n=88) with more than 50% achieving permanency within 12 months of cases opening.
- **Frequent parent-child contact:** Very young children need to see their parents multiple times each week to develop a trusting relationship for reunification purposes. But, in fact, most children in foster care see their parents less than once each week. Court team sites were managing daily parent-child contact in nearly 32% of the cases, from 3-6 times per week in 13% of the cases, and twice weekly in 11% of the cases.
- **Placement stability:** More than two-thirds (72%) of children remained in 1 or 2 placements whether they were in out-of-home care for less than 12 months, between 12-24 months, or longer than 24 months.ⁱⁱ
- **Positive safety outcomes:** 99.05% of the infants and toddlers served were protected from further maltreatment.

Study number two examined the effect of the Safe Babies Court Team approach had on how quickly children achieve a permanent home.ⁱⁱⁱ Researchers used data on children in the four original Safe Babies sites (n=298) and compared them to a nationally representative sample of young children in foster care from the National Survey of Child and Adolescent Well-Being (n=511).

- **Expedited permanency:** Children served by the Safe Babies Court Teams exited the foster care system approximately 1 year earlier than children in the comparison group.

- **Keeping children with family members:** Reunification was the most common type of exit for Court Team children (38%), while adoption was the most typical for the comparison group (41%). If kinship families were included, 62.4% of the Court Teams children ended up with family members while only 37.7% of the comparison group did.

The third study looked at the cost effectiveness of the SBCT approach, after determining the average direct cost of SBCT participation.^{iv} The evaluators found the costs to be at the low end of similar early childhood interventions (e.g. Nurse Family Partnership, Early Head Start) at \$10,000 per child.

- Earlier exits from foster care reduced costs by an average of \$7,300 per child.
- **More than 70% of the direct costs of SBCT participation are recouped in the first year alone.**
- If the children's placements truly are permanent—and they remain outside of the child welfare system—these savings will accumulate and pay for the entire program.

There is increasing pressure on programs to demonstrate an evidence base. The Safe Babies Court Team has been recognized by the California Evidence-Based Clearinghouse for Child Welfare as being highly relevant to the child welfare context and demonstrating promising research evidence. The Honolulu Zero to Three Court team has continued to accumulate local evidence of efficacy, as highlighted in Section 1 of S.B.No.499.

While there are an increasing array of specialty courts vying for funding, the Zero to Three Court is different: by melding their work with families with a reflective focus on making procedural, policy, regulatory, and legislative changes, they will improve the child welfare court process for all families. What makes our approach unique is our constant willingness to rethink the best ways to improve outcomes for infants and toddlers in foster care. We never expect to reach a point where the problem is “fixed.” There will always be better ways to support families involved in the child welfare system. The Zero to Three Court is positioned to continue to make those incremental enhancements over time.

In Section 2, the legislation specifies funding for two positions, training, and supports to families. It would thus provide an adequate level of dedicated staffing, which is critical to ensure the various stakeholders in the program, including the parents and children, all work together in a concerted fashion. Training and professional development, particularly in understanding early development and how it should guide decision making as well as the impacts of maltreatment, lack of consistent caregiving, and the impact of parents' own previous trauma, are at the core of helping families progress and children achieve both permanency and wellbeing. Supports provided with the funding would help both improve parents' ability to nurture their children's development and increase family stability.

The Honolulu Zero to Three Court has been an important partner in developing an innovative and game-changing approach to child welfare practice. I hope to continue our collaboration on behalf of the most vulnerable infants and toddlers in the U.S.

ⁱ Hafford, C., McDonnell, C., Kass, L., DeSantis, J., & Dong, T. (2009). *Evaluation of the Court Teams for maltreated infants and toddlers: Final report*. Submitted to the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice by James Bell Associates, Arlington, VA.

ⁱⁱⁱ McCombs-Thornton, K. L. (2012). The effect of the ZERO TO THREE Court Teams initiative on types of exits from the foster care system—A competing risks analysis. *Children and Youth Services Review* 34, 169–178.

^{iv} Foster, E. M., & McCombs-Thornton, K. L. (2012). *Investing in our most vulnerable: A cost analysis of the ZERO TO THREE Safe Babies Court Teams Initiative*. Birmingham, AL: Economics for the Public Good, LLC.



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January 9, 2017

The Honorable Gilbert S.C. Keith-Agaran, Chair,
The Honorable Karl Rhoads, Vice-Chair, and Committee Members
Committee on Judiciary and Labor
The Twenty-Ninth Legislature
Hawai'i State Capitol
Honolulu, HI 96813

Aloha Chair Agaran, Vice-Chair Rhoads, and Committee Members:

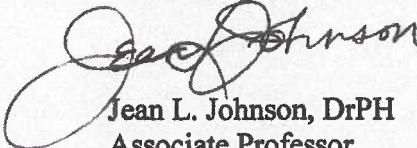
I am writing in strong support of **SB 499 Relating to the Zero to Three Court**. I am an Associate Professor at the Center on Disability Studies at the University of Hawai'i and, as part of my university service, serve as a Member of the Access to Justice Commission.

Although I am submitting this testimony as a private citizen, not on behalf of either the University of Hawai'i or the Access to Justice Commission, it is through my professional role that I have learned about the critical importance of the Zero to Three Court and the valuable contributions it has made to breaking the cycle of family violence in the most vulnerable members of our community—infants and toddlers abused by those responsible for loving and protecting them. The value and success of the program has been fully proven through local and national evaluation studies.

Although Hawai'i's First Circuit Family Court has had this Court for a number of years, it has been largely dependent on grant funding. The time has come to ensure its existence through adequate local funding. And, although states such as Florida and Arizona have expanded their Zero to Three Courts throughout their states, the other circuits in Hawaii continue to lack this important resource. This funding is the first step to ensuring continuation and eventual expansion of this Court.

Attached is an article regarding the Court that appeared in the *Hawaii Bar Journal* in December 2014. I respectfully urge your support of S.B. 499 for those vulnerable infants and toddlers without voice, words, or language to speak to you!

Sincerely,


Jean L. Johnson, DrPH
Associate Professor

ACCESS TO JUSTICE

for Those Without Voice, Words, or Language



by Juan L. Johnson,
Hon. Christine
Kariyana, and
Mary Anna Maguire

Concerned citizens in Hawai'i have made it a state civic priority to improve access to justice for low-income and moderate-income people.¹ For an especially vulnerable group of Hawai'i's citizens—infants and toddlers under the age of three—access to justice can mean a world of difference for their future. Hawai'i's Zero to Three Court is working to make sure these infants and toddlers—without meaningful voice, words, or language—have access to justice to promote their best possible developmental outcomes.

The Problem. Nationally and in Hawai'i, infants under the age of one represent the largest group of children who

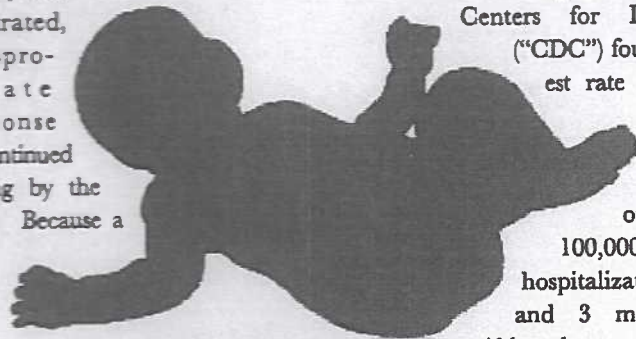
are removed from their parents because of parental abuse or neglect.^{2,3} For Hawai'i in 2012 (the most recent data available), 224 (16 percent) of the confirmed cases of child abuse and neglect that year were of infants under the age of one. Children under the age of three represented more than a third (37 percent) of confirmed cases.⁴ More alarming is that between 2001 and 2010, 39 children in Hawai'i died as a result of child abuse.⁵ The deaths of these children in Hawai'i might have been prevented.

The United States Department

of Health and Human Services documented that the annual number of such deaths has increased over the past decade.⁶ Well-documented research concludes the actual number of children who die from abuse and neglect is probably double the official government statistics.⁷ In recent years, child-fatality review teams have emerged across the country to address the concerns that systems of child protection, law enforcement, criminal justice, and medicine do not adequately assess the circumstances surrounding child fatalities that result from maltreatment.^{8,9}

Equally alarming is that the infants who survive abuse are often left with severe, permanent brain damage. The extreme vulnerability of this age group makes infants under the age of one the largest group sustaining permanent brain injury resulting from "Shaken Baby Syndrome." Shaken Baby Syndrome is a

severe, inflicted brain injury caused by violent shaking of an infant, often a frustrated, inappropriate response to continued crying by the baby. Because a



baby's head is relatively large and heavy (making up 25 percent of body weight), the baby's neck muscles are too weak to support the head. Violent shaking causes blood vessels feeding the brain to tear, causing bleeding around the brain. The blood pools within the skull, sometimes creating more pressure and additional brain damage.¹⁰

Moreover, damage to the brain that does not result in death has long-term consequences: learning disabilities, physical disabilities, visual disabilities or blind-

ness, hearing impairment, speech disabilities, cerebral palsy, seizures, behavior disorders, and cognitive impairment. The Centers for Disease Control ("CDC") found that the highest rate of Shaken Baby Syndrome is among children under one year of age (32.3 per 100,000) with a peak of hospitalizations between 1 and 3 months of age.¹¹

Although no specific data on the incidence of Shaken Baby Syndrome in Hawai'i are available, there are anecdotal data from referrals to the Department of Health's Part C of the *Individuals with Disabilities Education Act* Early Intervention Program. Babies who survive Shaken Baby Syndrome represent those with the most significant, life-long disabilities. Thus, the economic burden to the community of child abuse is substantial.^{12,13}

Because abusive head trauma is a significant and tragic cause of morbidity and mortality, with a poor prognosis for

survivors, health care providers and parents are often faced with deciding whether to discontinue life support for a baby with brain damage. This decision is complicated if parents were the perpetrators. Removing life support could result in an escalation of criminal charges from assault to murder. The possibility of murder charges has sometimes resulted in children being kept alive, even when treatment is deemed futile or inhumane. Solutions are being proposed to give greater deference to civil justice for these critically ill children while still preserving parental rights.¹⁴

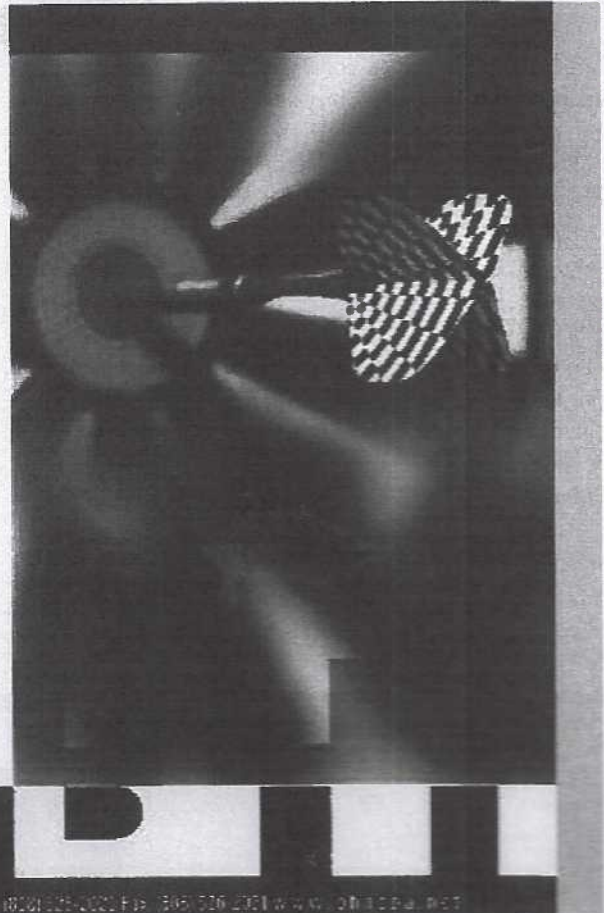
No ethnic or income group is immune to engaging in child abuse and neglect. However, researchers have identified some indicators of parents who are more likely than others to maltreat their children. As early as 1964, researchers identified a cluster of risk factors for parental abuse. The cluster included the following factors: a parent had been abused or neglected as a child; presence of poverty; presence of substance abuse; mental health issues; incarceration of

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parents; parent suspected of having committed prior abuse; marital and financial stressors; social isolation; lack of parental knowledge about child development; parental tendency toward violence; and difficulties in parent-infant bonding.¹⁵

These risk factors have been used to create a "Family Stress Checklist" for screening purposes.¹⁶ Prevention programs across the country have used that checklist to identify at-risk parents and qualify them for parent-support services such as Hawai'i's Healthy Start Program. These risk factors have been validated in follow-up studies.¹⁷ The CDC also conducted a large study of Adverse Childhood Experiences (ACE Study), which examined the more severe risk factors in the checklist.¹⁸ This study also found a strong relationship between having such adverse experiences in early childhood and developing chronic disease in adulthood.¹⁹

Poverty, substance abuse, domestic violence, and mental health challenges characterize a large portion of confirmed cases of child abuse and neglect in

Hawai'i.²⁰ These stressors in a family can result in what is referred to as "intergenerational transmission of trauma and toxic stress."²¹ Child abuse and neglect experienced by a child are likely to become part of that child's behavior when the child becomes a parent. Breaking this intergenerational cycle through prevention and early intervention is critical.²²

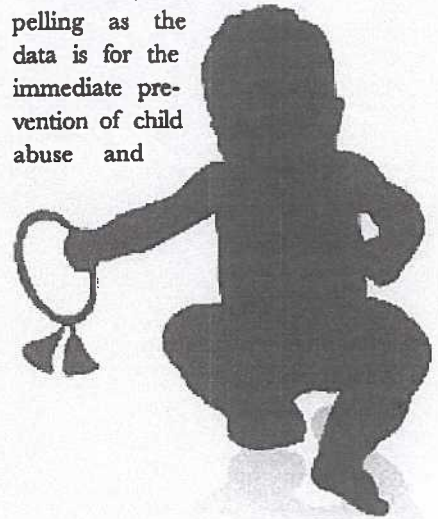
Judicial Response to Problem.



In 2004, in an effort to address the civil-justice needs of those children, ZERO TO THREE, a national non-profit infant and toddler advocacy agency, established Safe Babies Court Teams at eight locations around the country. These courts were established in recognition of the critical importance of the first three years in the life of the child. Honolulu's First Circuit Court Team (Hawai'i Zero to Three Court) was added in 2008, with funding continuing through late 2012.

The primary purpose of the Hawai'i Zero to Three Court is to focus attention on the fact that developmental needs of

infants and toddlers are significantly different from the needs of older children in foster care. For example, science on brain development has documented that 70 percent of the structure of the brain is complete by the first birthday. Healthy brain development is dependent on attachment and interaction with the parent or primary caregiver. Early experiences "wire" the brain for life.²³

Further, as compelling as the data is for the immediate prevention of child abuse and





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neglect, recent science has documented long-term effects of "toxic shock"—an effect that shows up later as chronic illness in adults.²⁴ Through its partnership with services aimed at promoting positive parent-child attachment and ensuring that children live in a nurturing, secure family placement, the Hawai'i Zero to Three Court is making significant progress in preventing the cycle of history repeating itself.

Compared with regular dependency court cases, Zero to Three courts invest greater time on each case, with the court team assessing how well the local delivery system is functioning. When gaps are identified, the court team works to develop supportive approaches and community services. Court teams take what has been proven through science and clinical experience to be good for abused and neglected infants and toddlers and translate that knowledge into practices that advance healthy development. A major function of this model is providing physical, developmental, and mental health services to abused infants and toddlers.

Participation is voluntary for parents, requiring a strong commitment by the parents and/or family members. Under the Zero to Three Court, children in foster care and their families have increased parental visitation opportunities, as well as increased relative/kinship placements, both of which increase the likelihood of a child's reunification with family within 12 months of removal from the home. The court teams thoroughly consider all aspects of a child's development to ensure the healthiest and most sustainable placements and decisions are made right from the start for each individual child, thereby avoiding corrective changes later.

Two evaluations of the Zero to Three Courts on the mainland have been overwhelmingly positive. (Hawai'i's program was not included in the evaluations.) These evaluations include the following key findings: "Control your destiny or somebody else will."

•99.05 percent of children "Control your destiny or somebody else will." were protected from further maltreatment while under court supervision, and 97 percent

received needed services;²⁵ and •Children monitored reached "permanency" 2.67 times faster than the national comparison group.²⁶

Five core components guide each court team: 1) local judicial leadership; 2) local community coordinator; 3) local court team; 4) monthly reviews; and, 5) child-focused services and mental health interventions. Increased knowledge and understanding of early childhood development by child welfare workers, judges, and members of the court teams have resulted in children and families receiving appropriate services, including development screening, early intervention, and parenting classes.

The Hawai'i Zero to Three Court provides "voice, words, and language" for these children to give them the opportunity for access to justice. For them, "justice" is defined as freedom from abuse and neglect by their caregivers. The court strives to provide safe, stable, loving, and nurturing homes for successful growth and development, and to sever the cycle of intergenerational abuse and neglect.

One of the most important of the five core components is monthly judicial reviews. State and federal regulations require court reviews of children in the child welfare system at least every six months. However, for children under the age of three, when physical and mental development is so rapid, a six-month time interval is too long to ensure adequate attention is given to enhancing the child's brain development and fostering the child's secure attachment to a parent or significant care giver.

Each Zero to Three case comes to court once a month. Before the scheduled hearings begin, each family's court team (composed of the Zero to Three Case Manager, the child's guardian ad litem, parents' counsel, Deputy Attorney General, and Child Welfare Services social worker) meets with the judge to discuss the child's and family's needs and progress in services, the parents' contact with the child, and any other areas of concern.

Hawai'i has been extremely fortu-

nate in its local judicial leadership. Senior Judge R. Mark Browning of the First Circuit Family Court has been extremely supportive of the need for this special court. The court team has been strengthened by continuity in the judicial appointment for the Hawai'i Zero to Three Court since its beginning in 2008. When funding for Hawai'i's program ended in late 2012, the Family Court expressed a commitment to continue the program, using support from the First Circuit Family Drug Court.

In 2013, the Legislature introduced a resolution to provide continued funding for the program. However, another potential federal funding source was identified through the United States Substance Abuse and Mental Health Services Administration. With strong community support, an application was developed and submitted. In late 2013, notification was received of funding of the Zero to Three Court for a three-year period in the amount of \$324,786 for each of the three years. Thus, funding for the Zero to Three Court in the First Circuit is now guaranteed through September 30, 2016.

As of the end of 2013, the Zero to Three Court had accepted 34 cases involving 39 infants and toddlers in addition to seven siblings. Six children were reunited with a parent or parents, and permanency had been achieved through the adoption of 22 children and one legal guardianship. As of January 1, 2014, the court was serving 13 active cases.²⁷ *This number represented only about three percent of the infants and toddlers under the age of three on O'ahu who were in foster care as a result of abuse or neglect.*

The Future. Now is not too early to begin planning to sustain this critically important community resource for infants and toddlers. Hopefully, funding for the court will eventually become part of the Judiciary Budget. Ideally, the program needs to expand to cover all infants and toddlers on O'ahu, not just the current three percent.

The Zero to Three Court is now only available in the First Circuit. However, a review of the data suggests the services are greatly needed in the other counties of

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Michael A. Town
 Circuit Court Judge (Retired)
 Trial Judge from 1979 to 2010 in Family and Circuit Court. Graduate of Stanford University (A.B.), Hastings Law (J.D.) and Yale School of Law (LL.M).

the State. Table 1 shows the 2012 estimated population for each county and the percentage of the state's total child abuse and neglect confirmed reports for that county.

Data is not available on the percentage of the State's population composed of children ages three and under by county. Also not available is data on the number of cases of child abuse and neglect by age by county. However, a comparison of the percentage of population by county and the percentage of confirmed cases of child abuse and neglect by county suggests the problem may be worse in the neighbor islands than in Honolulu County. Honolulu was the only county with a smaller percentage of cases of confirmed abuse and neglect than its percentage of the total State population. Thus, the need for expansion of the Zero to Three Court to other Circuits is crucial.

Summary. In the best of all possible worlds, every baby would be welcomed into a family of mature, loving, and nurturing parents. Unfortunately, too many babies are born to parents unprepared to provide the care needed for their child's optimal development. Many of these parents are dealing with their own personal challenges, whether from poverty, addictions, or domestic violence. Too often, the parents themselves were raised in families that did not provide good parenting models or were themselves victims of abuse and neglect as children.

Most people are shocked and sad-

dened whenever the media report details of physical or sexual abuse or descriptions of neglect of a young child by those responsible for the child's care. To work toward the best of all possible worlds, that "village" where young people are taught parenting skills and where there is support for families raising young children while living in stressful situations is needed. The community's safety net of primary prevention of child abuse and neglect has gaping holes that allow too many young children and families to fall into the child welfare system and come under jurisdiction of the courts.

Until that safety net is repaired and the community is more successful with primary prevention, the need for the Zero to Three Court is critical. This court addresses needs of many of the most vulnerable children and families. To expand access to justice for those without meaningful voice, words, or language, the Zero to Three Court in the First Circuit must be continued and eventually expanded to the Second, Third, and Fifth Circuits.

¹ A Report of the Access to Justice Hui (2007). *Achieving Access to Justice for Hawai'i's People*. Report funded by the Hawai'i Justice Foundation and the Hawai'i State Bar Association.

² Child Abuse and Neglect Deaths in America. (July 2012). Washington, DC: Every Child Matters Education Fund. Retrieved 4-1-14, www.everychildmatters.org.

"Control your destiny or somebody else will."
 "Control your destiny or somebody else will."

County	State's Projected 2012 Population	Percentage of the State's Total Population	Total Number of 2012 Confirmed Cases of Child Abuse and Neglect ²	Percentage of State's Total Number of Cases of Child Abuse and Neglect
Hawai'i	188,595	13.50%	301	22%
Honolulu	974,990	70.10%	740	54%
Kaua'i	68,395	4.90%	98	7%
Maui	158,040	11.40%	229	17%
Total	1,390,090	100.00%	1,368	100%

Table 1. 2012 Project State Population by County and by Percentage of Confirmed Child Abuse and Neglect

³ Hawaii State Department of Human Services, *A Statistical Report on Child Abuse and Neglect in Hawaii, 2000-2012.*

⁴ *Id.*

⁵ Child Abuse and Neglect Deaths in America, (July 2012). Washington, DC: Every Child Matters Education Fund. Retrieved 4-1-14, www.everychildmatters.org.

⁶ Department of Health and Human Services, Administration for Children and Families, "Child Maltreatment, 2001-2010."

⁷ Herman-Giddens, M.E., Brown, C., Verbiest, S., Carlson, P.J., Hooten, E.G., Howell, E., & Butts, J.D. (1999). Underascertainment of Child Abuse Mortality in the United States, *Journal of the American Medical Association*, 281(5), 463-467.

⁸ Crume, T.L., DiGuseppi C., Byers, T., Sirotak, A.P., & Garrett, C.J. (2002). Underascertainment of child maltreatment fatalities by death certificates, 1990-1998. *Pediatrics*, 110(2), e18.

⁹ Schnitzer, P.G., Covington, T.M., Wirtz, S.J., Verhoek-Oftedahl, W., & Palusci, V.J. (2008). Public health surveillance of fatal child maltreatment: Analysis of 3 state programs. *American Journal of Public Health*, 98(2), 263-303.

¹⁰ <http://www.dontskhake.org/sbs/php/?topNavID=3&subNavID=23>, Retrieved 4-4-14.

¹¹ Parks, S., Sugerman, D., Xu, L. & Coronado, V. (2012). Characteristics of non-fatal abusive head trauma among children in the USA, 2003-2008: application of the CDC operational case definition in national hospital inpatient data, *Injury Prevention*, 18(6), 392-398.

¹² Xiangming, F., Brown, D.S., Florence, C.S. & Mercy, J.A. (2012). The economic burden of child maltreatment in the United States and implications for prevention. *Child Abuse & Neglect*, 36, 156-165.

¹³ Friedman, J., Reed, P., Sharplin, P., & Kelly, P. (2012). Primary prevention of pediatric abusive head trauma: A cost audit and cost-utility analysis. *Child Abuse & Neglect*, 36(11-12), 760-70.

¹⁴ Ellingson, C.C., Livingston, J.S., &

Fanaroff, J.M. (2012). End-of-life decisions in abusive head trauma, *Pediatrics*, 129(3), 541-547.

¹⁵ Kempe, C.H, Silverman, F.N., & Steele, B.F. (1962). The battered child syndrome. *Journal of the American Medical Association*, 181:2, 17-24.

¹⁶ Helfer, M.E., Kempe, R.S., & Kriegman, R.D. *The Battered Child, 5th Edition.* Chicago, IL: University of Chicago Press.

¹⁷ Murphy, S., Oikow, B., & Nicola, R.M. (1985). Prenatal prediction of child abuse and neglect: A prospective study. *Child Abuse & Neglect*, 9, 225-235.

¹⁸ Middlebrooks, J.S. & Audage, N.C. (2008). The effects of childhood stress on health across the lifespan. Atlanta, GA: The Center for Disease Control and Prevention, National Center for Injury Prevention and Control.

¹⁹ Felitti, V.J., Anda, R.F., Nordenberg, D., et al (1998). Relationship of childhood abuse and household dysfunction to many of the lead causes of death in adults. The adverse child experiences (ACE study). *American Journal of Preventive Medicine*, 14: 245-58.

²⁰ Child Maltreatment (2012). Washington: DC, U.S. Department of Health and Human Services.

²¹ Anda, R.F., Felitti, V.J., Brenner, J.D., et al (2006). The enduring effects of abuse and related experiences in childhood: A convergence of evidence from neurology and epidemiology. *European Archives Psychiatry and Clinical Neuroscience*, 256, 174-86.

²² Belaky, J. (2005). The development and evolutionary psychology of intergenerational transmission of attachment. In C.S. Carter, L. Alnert, K.E. Grossman, S.B. Hardy, M.E. Lamb, S.W. Porges, & N. Sachser (Eds). *Attachment and Bonding: A New Synthesis, (169-198)*. Cambridge, MA: MIT Press.

²³ Shonkoff, J.P. & Phillips, D.A. (2000). *From Neurons to Neighborhoods: The Science of Early Childhood Development.* Washington, DC: The National Academy Press

²⁴ Shonkoff, J.P., Boyce, W.T., & McEwen, B.S. (2009). Neuroscience, molecular biology, and the childhood roots of health disparities: Building a new framework for health promotion and disease

prevention. *Journal of the American Medical Association*, 301(21), 2252-2259.

²⁵ Evaluation of the Court Teams for Maltreated Infants and Toddlers (October 2009). Arlington, VA: James Bell Associates.

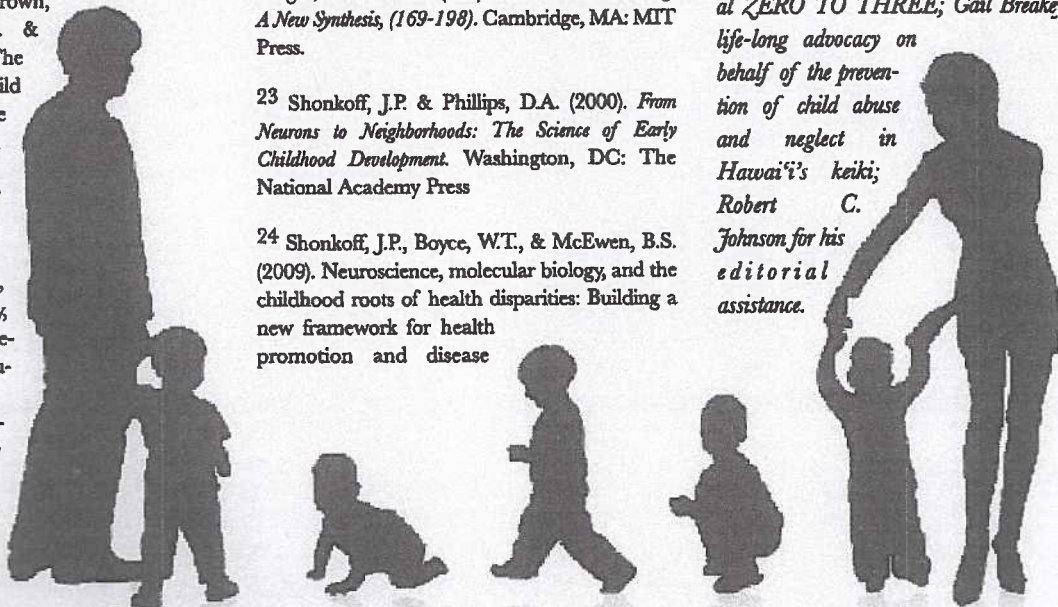
²⁶ McCombs-Thornton, K.L. (2011). Fostering a permanent home: A mixed methods evaluation of the ZERO TO THREE court teams for maltreated infants and toddlers initiative. Chapel Hill, NC: University of North Carolina at Chapel Hill.

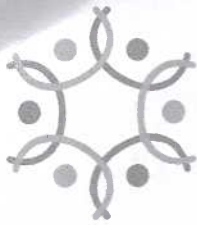
²⁷ The Hawaii Zero to Three Court 2013 Annual Report.

²⁸ A Statistical Report on Child Abuse and Neglect in Hawaii, 2012. Retrieved 4-6-14, www.hawaiidepartmentofhumanservices/management-services-office.

Jean L. Johnson, DrPH, is an Associate Professor, Center on Disability Studies, at the University of Hawai'i; Commissioner on the Hawai'i Access to Justice Commission; Chair, Commission's Committee on Overcoming Barriers to the Access to Justice. Judge Christine Kuriyama sits on the O'ahu Family Court in Kapolei. Mary Anne Magnier is a Hawai'i Deputy Attorney General; Commissioner on the Hawai'i Access to Justice Commission; Member, Commission's Committee on Overcoming Barriers to the Access to Justice.

The authors wish to acknowledge: The Hawai'i Zero to Three Court Staff—Christine Y. Miwa-Mendoza, James Lutte, and Faye Kimura; Mahia Taum-Deenik for serving as the Project Coordinator, 2009-2012, for the first Hawai'i Zero-to-Three Court funded by national ZERO TO THREE; Gail Breakey for her life-long advocacy on behalf of the prevention of child abuse and neglect in Hawai'i's keiki; Robert C. Johnson for his editorial assistance.





Hawaii
Children's Action Network
Building a unified voice for Hawaii's children

February 9, 2017

LATE TESTIMONY

To: Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair
Committee on Judiciary and Labor

From: Deborah Zysman, Executive Director
Hawaii Children's Action Network

Re: **SB 499 – Relating to the Zero to Three Court**
Hawaii State Capitol, Room 016, February 10, 2017, 9:30 AM

On behalf of Hawaii Children's Action Network (HCAN), we are writing to support SB 499 – Relating to the Zero to Three Court.

The Zero to Three Court program started in Hawaii in 2009 and has had amazing results over the years by assisting children receive vital services, reconnect with family, and overcome negative consequences of maltreatment during vital development at ages one to three years old. Additionally, according to a program evaluation from August 2013 to July 2016 conducted by the University of Hawaii's Center on Disabilities, the families have seen overall benefits from reducing parental alcohol or drug use, decreasing the length of stay in foster care and number of placements, increasing visitation frequency, and increasing access to services.

With the loss of national funding in 2012, the Zero to Three Program has had a level of insecurity and the inability to grow. By providing this stable source of funding for staff, the program will better be able to serve the children and families of Hawaii.

For these reasons, HCAN respectfully requests that the committee pass this bill.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education. Last fall, HCAN convened input in person and online from more than 50 organizations and individuals that came forward to support or express interest for a number of issues affecting children and families in our state that resulted in the compilation of 2017 Hawai'i Children's Policy Agenda, which can be accessed at <http://www.hawaii-can.org/2017policyagenda>.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
To: [JDL Testimony](#)
Cc:
Subject: Submitted testimony for SB499 on Feb 10, 2017 09:30AM
Date: Thursday, February 9, 2017 11:22:57 PM

SB499

Submitted on: 2/9/2017

Testimony for JDL on Feb 10, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Individual	Support	No

Comments: In strong support of SB499.

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

Statement in Support of S.B. No. 499 To Hawaii Senate Committee on the Judiciary

Matthew E. Melmed, Executive Director (mmelmed@zerotothree.org, 202-638-1144)



ZERO TO THREE
Early connections last a lifetime

On behalf of ZERO TO THREE, I strongly endorse *Senate Bill No. 499: A Bill for an Act relating to the Zero to Three Court*. It presents an opportunity to continue potentially life-saving work led by the Honorable Paul Murakami and his predecessors of the District Family Court of the First Circuit (island of O'ahu). The Zero to Three Court focuses on infants and toddlers in foster care, shortening their time in foster care, ensuring they get needed services, and helping their parents gain the skills they need to safely care for them—or the wisdom to recognize that they cannot care for their children and to relinquish them to loving members of their extended family.

Founded 40 years ago, ZERO TO THREE is a national nonprofit organization whose mission is to ensure that all babies and toddlers have a strong start in life. We translate the science of early childhood development for parents, practitioners, and policymakers. We work to ensure that babies and toddlers benefit from the family and community connections critical to their wellbeing and healthy development. Nowhere are these connections that are essential to early brain development more important than for babies in the child welfare system. Over the last decade, we have worked particularly to bring the science of early brain development to courts and communities around the country.

Honolulu's Zero to Three Court is one of 19 courts in 13 states that ZERO TO THREE has worked with to implement the Safe Babies Court Team approach. This approach has been demonstrated to significantly improve the experience of infants and toddlers in foster care. To date, three evaluations have been completed. The first study was based on an analysis of 186 cases at three sites.ⁱ The findings indicate that our approach promotes better long-term developmental outcomes for maltreated infants and toddlers:

- **Achieving the federal mandate for meeting children's medical and mental health needs:** 97% of the identified service needs of infants and toddlers served by the Court Teams had either been fully met or were in process with progress being made.
- **Timely permanency:** Timely permanency was achieved in 95% of closed Court Team cases (n=88) with more than 50% achieving permanency within 12 months of cases opening.
- **Frequent parent-child contact:** Very young children need to see their parents multiple times each week to develop a trusting relationship for reunification purposes. But, in fact, most children in foster care see their parents less than once each week. Court team sites were managing daily parent-child contact in nearly 32% of the cases, from 3-6 times per week in 13% of the cases, and twice weekly in 11% of the cases.
- **Placement stability:** More than two-thirds (72%) of children remained in 1 or 2 placements whether they were in out-of-home care for less than 12 months, between 12-24 months, or longer than 24 months.ⁱⁱ
- **Positive safety outcomes:** 99.05% of the infants and toddlers served were protected from further maltreatment.

Study number two examined the effect of the Safe Babies Court Team approach had on how quickly children achieve a permanent home.ⁱⁱⁱ Researchers used data on children in the four original Safe Babies sites (n=298) and compared them to a nationally representative sample of young children in foster care from the National Survey of Child and Adolescent Well-Being (n=511).

- **Expedited permanency:** Children served by the Safe Babies Court Teams exited the foster care system approximately 1 year earlier than children in the comparison group.

- **Keeping children with family members:** Reunification was the most common type of exit for Court Team children (38%), while adoption was the most typical for the comparison group (41%). If kinship families were included, 62.4% of the Court Teams children ended up with family members while only 37.7% of the comparison group did.

The third study looked at the cost effectiveness of the SBCT approach, after determining the average direct cost of SBCT participation.^{iv} The evaluators found the costs to be at the low end of similar early childhood interventions (e.g. Nurse Family Partnership, Early Head Start) at \$10,000 per child.

- Earlier exits from foster care reduced costs by an average of \$7,300 per child.
- **More than 70% of the direct costs of SBCT participation are recouped in the first year alone.**
- If the children's placements truly are permanent—and they remain outside of the child welfare system—these savings will accumulate and pay for the entire program.

There is increasing pressure on programs to demonstrate an evidence base. The Safe Babies Court Team has been recognized by the California Evidence-Based Clearinghouse for Child Welfare as being highly relevant to the child welfare context and demonstrating promising research evidence. The Honolulu Zero to Three Court team has continued to accumulate local evidence of efficacy, as highlighted in Section 1 of S.B.No.499.

While there are an increasing array of specialty courts vying for funding, the Zero to Three Court is different: by melding their work with families with a reflective focus on making procedural, policy, regulatory, and legislative changes, they will improve the child welfare court process for all families. What makes our approach unique is our constant willingness to rethink the best ways to improve outcomes for infants and toddlers in foster care. We never expect to reach a point where the problem is “fixed.” There will always be better ways to support families involved in the child welfare system. The Zero to Three Court is positioned to continue to make those incremental enhancements over time.

In Section 2, the legislation specifies funding for two positions, training, and supports to families. It would thus provide an adequate level of dedicated staffing, which is critical to ensure the various stakeholders in the program, including the parents and children, all work together in a concerted fashion. Training and professional development, particularly in understanding early development and how it should guide decision making as well as the impacts of maltreatment, lack of consistent caregiving, and the impact of parents' own previous trauma, are at the core of helping families progress and children achieve both permanency and wellbeing. Supports provided with the funding would help both improve parents' ability to nurture their children's development and increase family stability.

The Honolulu Zero to Three Court has been an important partner in developing an innovative and game-changing approach to child welfare practice. I hope to continue our collaboration on behalf of the most vulnerable infants and toddlers in the U.S.

ⁱ Hafford, C., McDonnell, C., Kass, L., DeSantis, J., & Dong, T. (2009). *Evaluation of the Court Teams for maltreated infants and toddlers: Final report*. Submitted to the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice by James Bell Associates, Arlington, VA.

ⁱⁱⁱ McCombs-Thornton, K. L. (2012). The effect of the ZERO TO THREE Court Teams initiative on types of exits from the foster care system—A competing risks analysis. *Children and Youth Services Review* 34, 169–178.

^{iv} Foster, E. M., & McCombs-Thornton, K. L. (2012). Investing in our most vulnerable: A cost analysis of the ZERO TO THREE Safe Babies Court Teams Initiative. Birmingham, AL: Economics for the Public Good, LLC.

LATE TESTIMONY



**University of Hawai'i at Mānoa
Center on Disability Studies**

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E-mail: cds@hawaii.edu • Web: <http://www.cds.hawaii.edu>

January 9, 2017

The Honorable Gilbert S.C. Keith-Agaran, Chair,
The Honorable Karl Rhoads, Vice-Chair, and Committee Members
Committee on Judiciary and Labor
The Twenty-Ninth Legislature
Hawai'i State Capitol
Honolulu, HI 96813

Aloha Chair Agaran, Vice-Chair Rhoads, and Committee Members:

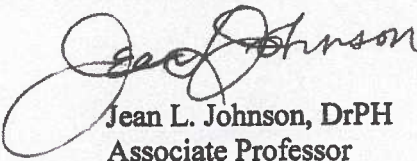
I am writing in strong support of **SB 499 Relating to the Zero to Three Court**. I am an Associate Professor at the Center on Disability Studies at the University of Hawai'i and, as part of my university service, serve as a Member of the Access to Justice Commission.

Although I am submitting this testimony as a private citizen, not on behalf of either the University of Hawai'i or the Access to Justice Commission, it is through my professional role that I have learned about the critical importance of the Zero to Three Court and the valuable contributions it has made to breaking the cycle of family violence in the most vulnerable members of our community—infants and toddlers abused by those responsible for loving and protecting them. The value and success of the program has been fully proven through local and national evaluation studies.

Although Hawai'i's First Circuit Family Court has had this Court for a number of years, it has been largely dependent on grant funding. The time has come to ensure its existence through adequate local funding. And, although states such as Florida and Arizona have expanded their Zero to Three Courts throughout their states, the other circuits in Hawaii continue to lack this important resource. This funding is the first step to ensuring continuation and eventual expansion of this Court.

Attached is an article regarding the Court that appeared in the *Hawaii Bar Journal* in December 2014. I respectfully urge your support of S.B. 499 for those vulnerable infants and toddlers without voice, words, or language to speak to you!

Sincerely,


Jean L. Johnson, DrPH
Associate Professor

ACCESS TO JUSTICE

for Those Without Voice, Words, or Language



by Joan L. Johnson,
Hon. Christine
Kariyama, and
Mary Anne Maguire

Concerned citizens in Hawai'i have made it a state civic priority to improve access to justice for low-income and moderate-income people.¹ For an especially vulnerable group of Hawai'i's citizens—infants and toddlers under the age of three—access to justice can mean a world of difference for their future. Hawai'i's Zero to Three Court is working to make sure these infants and toddlers—without meaningful voice, words, or language—have access to justice to promote their best possible developmental outcomes.

The Problem. Nationally and in Hawai'i, infants under the age of one represent the largest group of children who

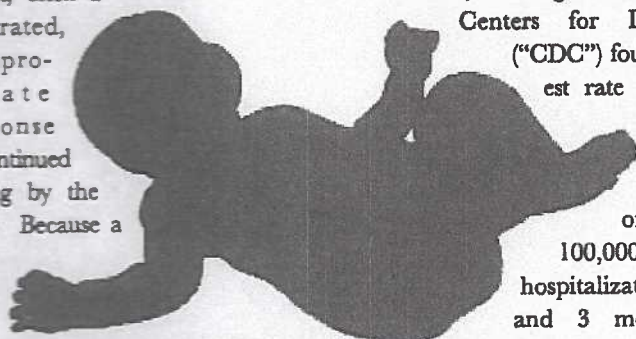
are removed from their parents because of parental abuse or neglect.^{2,3} For Hawai'i in 2012 (the most recent data available), 224 (16 percent) of the confirmed cases of child abuse and neglect that year were of infants under the age of one. Children under the age of three represented more than a third (37 percent) of confirmed cases.⁴ More alarming is that between 2001 and 2010, 39 children in Hawai'i died as a result of child abuse.⁵ The deaths of these children in Hawai'i might have been prevented.

The United States Department

of Health and Human Services documented that the annual number of such deaths has increased over the past decade.⁶ Well-documented research concludes the actual number of children who die from abuse and neglect is probably double the official government statistics.⁷ In recent years, child-fatality review teams have emerged across the country to address the concerns that systems of child protection, law enforcement, criminal justice, and medicine do not adequately assess the circumstances surrounding child fatalities that result from maltreatment.^{8,9}

Equally alarming is that the infants who survive abuse are often left with severe, permanent brain damage. The extreme vulnerability of this age group makes infants under the age of one the largest group sustaining permanent brain injury resulting from "Shaken Baby Syndrome." Shaken Baby Syndrome is a

severe, inflicted brain injury caused by violent shaking of an infant, often a frustrated, inappropriate response to continued crying by the baby. Because a



baby's head

is relatively large and heavy (making up 25 percent of body weight), the baby's neck muscles are too weak to support the head. Violent shaking causes blood vessels feeding the brain to tear, causing bleeding around the brain. The blood pools within the skull, sometimes creating more pressure and additional brain damage.¹⁰

Moreover, damage to the brain that does not result in death has long-term consequences: learning disabilities, physical disabilities, visual disabilities or blind-

ness, hearing impairment, speech disabilities, cerebral palsy, seizures, behavior disorders, and cognitive impairment. The Centers for Disease Control ("CDC") found that the highest rate of Shaken Baby Syndrome is among children under one year of age (32.3 per 100,000) with a peak of hospitalizations between 1 and 3 months of age.¹¹

Although no specific data on the incidence of Shaken Baby Syndrome in Hawai'i are available, there are anecdotal data from referrals to the Department of Health's Part C of the *Individuals with Disabilities Education Act* Early Intervention Program. Babies who survive Shaken Baby Syndrome represent those with the most significant, life-long disabilities. Thus, the economic burden to the community of child abuse is substantial.^{12,13}

Because abusive head trauma is a significant and tragic cause of morbidity and mortality, with a poor prognosis for

survivors, health care providers and parents are often faced with deciding whether to discontinue life support for a baby with brain damage. This decision is complicated if parents were the perpetrators. Removing life support could result in an escalation of criminal charges from assault to murder. The possibility of murder charges has sometimes resulted in children being kept alive, even when treatment is deemed futile or inhumane. Solutions are being proposed to give greater deference to civil justice for these critically ill children while still preserving parental rights.¹⁴

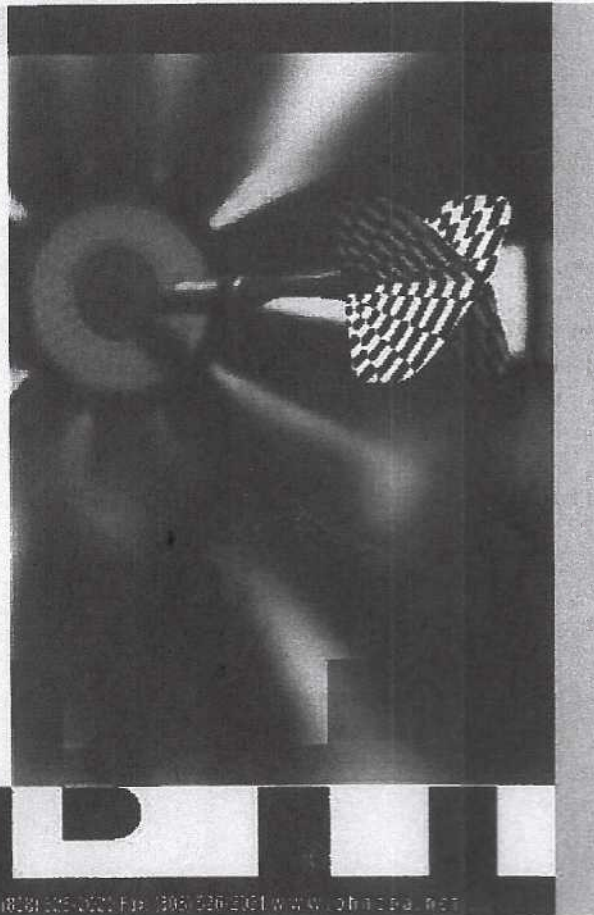
No ethnic or income group is immune to engaging in child abuse and neglect. However, researchers have identified some indicators of parents who are more likely than others to maltreat their children. As early as 1964, researchers identified a cluster of risk factors for parental abuse. The cluster included the following factors: a parent had been abused or neglected as a child; presence of poverty; presence of substance abuse; mental health issues; incarceration of

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parents, parent suspected of having committed prior abuse; marital and financial stressors; social isolation; lack of parental knowledge about child development; parental tendency toward violence; and difficulties in parent-infant bonding.¹⁵

These risk factors have been used to create a "Family Stress Checklist" for screening purposes.¹⁶ Prevention programs across the country have used that checklist to identify at-risk parents and qualify them for parent-support services such as Hawai'i's Healthy Start Program. These risk factors have been validated in follow-up studies.¹⁷ The CDC also conducted a large study of Adverse Childhood Experiences (ACE Study), which examined the more severe risk factors in the checklist.¹⁸ This study also found a strong relationship between having such adverse experiences in early childhood and developing chronic disease in adulthood.¹⁹

Poverty, substance abuse, domestic violence, and mental health challenges characterize a large portion of confirmed cases of child abuse and neglect in

Hawai'i.²⁰ These stressors in a family can result in what is referred to as "intergenerational transmission of trauma and toxic stress."²¹ Child abuse and neglect experienced by a child are likely to become part of that child's behavior when the child becomes a parent. Breaking this intergenerational cycle through prevention and early intervention is critical.²²

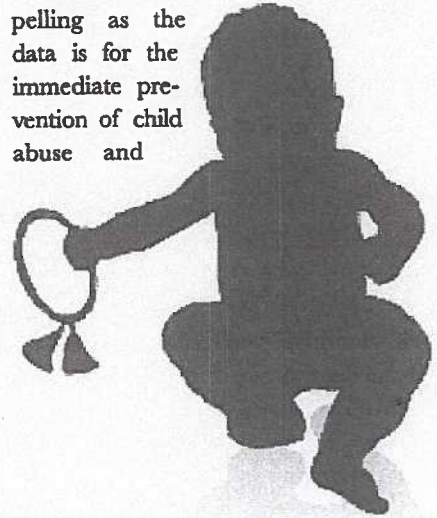
Judicial Response to Problem.



In 2004, in an effort to address the civil-justice needs of those children, ZERO TO THREE, a national non-profit infant and toddler advocacy agency, established Safe Babies Court Teams at eight locations around the country. These courts were established in recognition of the critical importance of the first three years in the life of the child. Honolulu's First Circuit Court Team (Hawai'i Zero to Three Court) was added in 2008, with funding continuing through late 2012.

The primary purpose of the Hawai'i Zero to Three Court is to focus attention on the fact that developmental needs of

infants and toddlers are significantly different from the needs of older children in foster care. For example, science on brain development has documented that 70 percent of the structure of the brain is complete by the first birthday. Healthy brain development is dependent on attachment and interaction with the parent or primary caregiver. Early experiences "wire" the brain for life.²³

Further, as compelling as the data is for the immediate prevention of child abuse and





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neglect, recent science has documented long-term effects of "toxic shock"—an effect that shows up later as chronic illness in adults.²⁴ Through its partnership with services aimed at promoting positive parent-child attachment and ensuring that children live in a nurturing, secure family placement, the Hawai'i Zero to Three Court is making significant progress in preventing the cycle of history repeating itself.

Compared with regular dependency court cases, Zero to Three courts invest greater time on each case, with the court team assessing how well the local delivery system is functioning. When gaps are identified, the court team works to develop supportive approaches and community services. Court teams take what has been proven through science and clinical experience to be good for abused and neglected infants and toddlers and translate that knowledge into practices that advance healthy development. A major function of this model is providing physical, developmental, and mental health services to abused infants and toddlers.

Participation is voluntary for parents, requiring a strong commitment by the parents and/or family members. Under the Zero to Three Court, children in foster care and their families have increased parental visitation opportunities, as well as increased relative/kinship placements, both of which increase the likelihood of a child's reunification with family within 12 months of removal from the home. The court teams thoroughly consider all aspects of a child's development to ensure the healthiest and most sustainable placements and decisions are made right from the start for each individual child, thereby avoiding corrective changes later.

Two evaluations of the Zero to Three Courts on the mainland have been overwhelmingly positive. (Hawai'i's program was not included in the evaluations.) These evaluations include the following key findings: "Control your destiny or somebody else will."

•99.05 percent of children "Control your destiny or somebody else will." were protected from further maltreatment while under court supervision, and 97 percent

received needed services;²⁵ and •Children monitored reached "permanency" 2.67 times faster than the national comparison group.²⁶

Five core components guide each court team: 1) local judicial leadership; 2) local community coordinator; 3) local court team; 4) monthly reviews; and, 5) child-focused services and mental health interventions. Increased knowledge and understanding of early childhood development by child welfare workers, judges, and members of the court teams have resulted in children and families receiving appropriate services, including development screening, early intervention, and parenting classes.

The Hawai'i Zero to Three Court provides "voice, words, and language" for these children to give them the opportunity for access to justice. For them, "justice" is defined as freedom from abuse and neglect by their caregivers. The court strives to provide safe, stable, loving, and nurturing homes for successful growth and development, and to sever the cycle of intergenerational abuse and neglect.

One of the most important of the five core components is monthly judicial reviews. State and federal regulations require court reviews of children in the child welfare system at least every six months. However, for children under the age of three, when physical and mental development is so rapid, a six-month time interval is too long to ensure adequate attention is given to enhancing the child's brain development and fostering the child's secure attachment to a parent or significant care giver.

Each Zero to Three case comes to court once a month. Before the scheduled hearings begin, each family's court team (composed of the Zero to Three Case Manager, the child's guardian ad litem, parents' counsel, Deputy Attorney General, and Child Welfare Services social worker) meets with the judge to discuss the child's and family's needs and progress in services, the parents' contact with the child, and any other areas of concern.

Hawai'i has been extremely fortu-

nate in its local judicial leadership. Senior Judge R. Mark Browning of the First Circuit Family Court has been extremely supportive of the need for this special court. The court team has been strengthened by continuity in the judicial appointment for the Hawai'i Zero to Three Court since its beginning in 2008. When funding for Hawai'i's program ended in late 2012, the Family Court expressed a commitment to continue the program, using support from the First Circuit Family Drug Court.

In 2013, the Legislature introduced a resolution to provide continued funding for the program. However, another potential federal funding source was identified through the United States Substance Abuse and Mental Health Services Administration. With strong community support, an application was developed and submitted. In late 2013, notification was received of funding of the Zero to Three Court for a three-year period in the amount of \$324,786 for each of the three years. Thus, funding for the Zero to Three Court in the First Circuit is now guaranteed through September 30, 2016.

As of the end of 2013, the Zero to Three Court had accepted 34 cases involving 39 infants and toddlers in addition to seven siblings. Six children were reunited with a parent or parents, and permanency had been achieved through the adoption of 22 children and one legal guardianship. As of January 1, 2014, the court was serving 13 active cases.²⁷ *This number represented only about three percent of the infants and toddlers under the age of three on O'ahu who were in foster care as a result of abuse or neglect.*

The Future. Now is not too early to begin planning to sustain this critically important community resource for infants and toddlers. Hopefully, funding for the court will eventually become part of the Judiciary Budget. Ideally, the program needs to expand to cover all infants and toddlers on O'ahu, not just the current three percent.

The Zero to Three Court is now only available in the First Circuit. However, a review of the data suggests the services are greatly needed in the other counties of

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Michael A. Town
 Circuit Court Judge (Retired)
 Trial Judge from 1979 to 2010 in Family and Circuit Court. Graduate of Stanford University (A.B.), Hastings Law (J.D.) and Yale School of Law (LL.M.).

the State. Table 1 shows the 2012 estimated population for each county and the percentage of the state's total child abuse and neglect confirmed reports for that county.

Data is not available on the percentage of the State's population composed of children ages three and under by county. Also not available is data on the number of cases of child abuse and neglect by age by county. However, a comparison of the percentage of population by county and the percentage of confirmed cases of child abuse and neglect by county suggests the problem may be worse in the neighbor islands than in Honolulu County. Honolulu was the only county with a smaller percentage of cases of confirmed abuse and neglect than its percentage of the total State population. Thus, the need for expansion of the Zero to Three Court to other Circuits is crucial.

Summary. In the best of all possible worlds, every baby would be welcomed into a family of mature, loving, and nurturing parents. Unfortunately, too many babies are born to parents unprepared to provide the care needed for their child's optimal development. Many of these parents are dealing with their own personal challenges, whether from poverty, addictions, or domestic violence. Too often, the parents themselves were raised in families that did not provide good parenting models or were themselves victims of abuse and neglect as children.

Most people are shocked and sad-

dened whenever the media report details of physical or sexual abuse or descriptions of neglect of a young child by those responsible for the child's care. To work toward the best of all possible worlds, that "village" where young people are taught parenting skills and where there is support for families raising young children while living in stressful situations is needed. The community's safety net of primary prevention of child abuse and neglect has gaping holes that allow too many young children and families to fall into the child welfare system and come under jurisdiction of the courts.

Until that safety net is repaired and the community is more successful with primary prevention, the need for the Zero to Three Court is critical. This court addresses needs of many of the most vulnerable children and families. To expand access to justice for those without meaningful voice, words, or language, the Zero to Three Court in the First Circuit must be continued and eventually expanded to the Second, Third, and Fifth Circuits.

¹ A Report of the Access to Justice Hui (2007). *Achieving Access to Justice for Hawai'i's People*. Report funded by the Hawai'i Justice Foundation and the Hawai'i State Bar Association.

² Child Abuse and Neglect Deaths in America. (July 2012). Washington, DC: Every Child Matters Education Fund. Retrieved 4-1-14, www.everychildmatters.org.

"Control your destiny or somebody else will."
 "Control your destiny or somebody else will."

County	State's Projected 2012 Population	Percentage of the State's Total Population	Total Number of 2012 Confirmed Cases of Child Abuse and Neglect ²	Percentage of State's Total Number of Cases of Child Abuse and Neglect
Hawai'i	188,595	13.50%	301	22%
Honolulu	974,990	70.10%	740	54%
Kaua'i	68,395	4.90%	98	7%
Maui	158,040	11.40%	229	17%
Total	1,390,090	100.00%	1,368	100%

Table 1. 2012 Project State Population by County and by Percentage of Confirmed Child Abuse and Neglect

³ Hawaii State Department of Human Services, A Statistical Report on Child Abuse and Neglect in Hawaii, 2000-2012.

⁴ *Id.*

⁵ Child Abuse and Neglect Deaths in America, (July 2012). Washington, DC: Every Child Matters Education Fund. Retrieved 4-1-14, www.everychildmatters.org.

⁶ Department of Health and Human Services, Administration for Children and Families, "Child Maltreatment, 2001-2010."

⁷ Herman-Giddens, M.E., Brown, C., Verbiest, S., Carlson, R.J., Hooten, E.G., Howell, E., & Butts, J.D. (1999). Underascertainment of Child Abuse Mortality in the United States, *Journal of the American Medical Association*, 281(5), 463-467.

⁸ Crume, T.L., DiGuseppi C., Byers, T., Sirotak, A.P., & Garrett, C.J. (2002). Underascertainment of child maltreatment fatalities by death certificates, 1990-1998. *Pediatrics*, 110(2), e18.

⁹ Schnitzer, P.G., Covington, T.M., Wirtz, S.J., Verhoek-Oftedahl, W., & Palusci, V.J. (2008). Public health surveillance of fatal child maltreatment: Analysis of 3 state programs. *American Journal of Public Health*, 98(2), 263-303.

¹⁰ <http://www.dontakhake.org/sbs/php/?topNavID=3&subNavID=23>, Retrieved 4-4-14.

¹¹ Parks, S., Sugerman, D., Xu, L. & Coronado, V. (2012). Characteristics of non-fatal abusive head trauma among children in the USA, 2003-2008: application of the CDC operational case definition in national hospital inpatient data, *Injury Prevention*, 18(6), 392-398.

¹² Xiangming, F., Brown, D.S., Florence, C.S. & Mercy, J.A. (2012). The economic burden of child maltreatment in the United States and implications for prevention. *Child Abuse & Neglect*, 36, 156-165.

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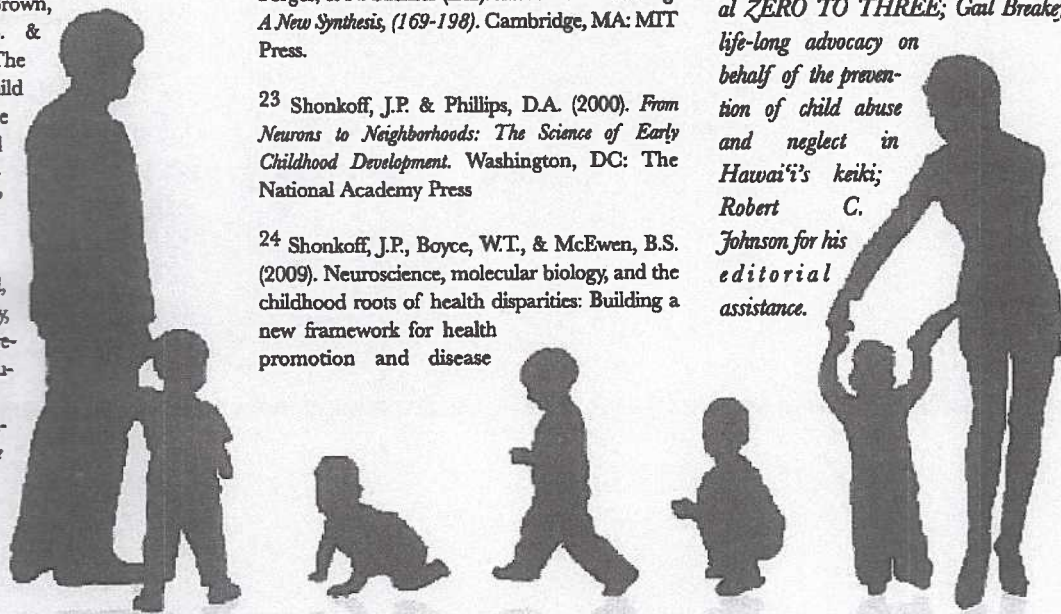
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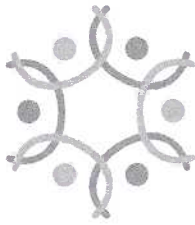
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The authors wish to acknowledge: The Hawai'i Zero to Three Court Staff—Christine Y. Miwa-Mendoza, James Lutte, and Foye Kimura; Mahia Taum-Deanik for serving as the Project Coordinator, 2009-2012, for the first Hawai'i Zero-to-Three Court funded by national ZERO TO THREE; Gail Breakey for her life-long advocacy on behalf of the prevention of child abuse and neglect in Hawai'i's keiki; Robert C. Johnson for his editorial assistance.





Hawaii
Children's Action Network
Building a unified voice for Hawaii's children

February 9, 2017

LATE TESTIMONY

To: Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair
Committee on Judiciary and Labor

From: Deborah Zysman, Executive Director
Hawaii Children's Action Network

Re: **SB 499 – Relating to the Zero to Three Court**
Hawaii State Capitol, Room 016, February 10, 2017, 9:30 AM

On behalf of Hawaii Children's Action Network (HCAN), we are writing to support SB 499 – Relating to the Zero to Three Court.

The Zero to Three Court program started in Hawaii in 2009 and has had amazing results over the years by assisting children receive vital services, reconnect with family, and overcome negative consequences of maltreatment during vital development at ages one to three years old. Additionally, according to a program evaluation from August 2013 to July 2016 conducted by the University of Hawaii's Center on Disabilities, the families have seen overall benefits from reducing parental alcohol or drug use, decreasing the length of stay in foster care and number of placements, increasing visitation frequency, and increasing access to services.

With the loss of national funding in 2012, the Zero to Three Program has had a level of insecurity and the inability to grow. By providing this stable source of funding for staff, the program will better be able to serve the children and families of Hawaii.

For these reasons, HCAN respectfully requests that the committee pass this bill.

HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education. Last fall, HCAN convened input in person and online from more than 50 organizations and individuals that came forward to support or express interest for a number of issues affecting children and families in our state that resulted in the compilation of 2017 Hawai'i Children's Policy Agenda, which can be accessed at <http://www.hawaii-can.org/2017policyagenda>.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: Submitted testimony for SB499 on Feb 10, 2017 09:30AM
Date: Thursday, February 9, 2017 11:22:57 PM

SB499

Submitted on: 2/9/2017

Testimony for JDL on Feb 10, 2017 09:30AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch	Individual	Support	No

Comments: In strong support of SB499.

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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