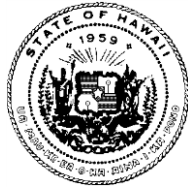


DAVID Y. IGE  
GOVERNOR



PANKAJ BHANOT  
DIRECTOR

CATHY BETTS  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96808

January 29, 2018

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

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS**

Hearing: Wednesday, January 31, 2018, 2:45 PM  
Conference Room 16, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the intent of the bill, and offers the following comments.

**PURPOSE:** This measure establishes parental rights for blind parents or prospective blind parents in the context of child welfare, foster care, family law, and adoption.

DHS is an equal opportunity service provider, and follows all federal and state law, regulations, and rules that prohibit discrimination on the basis of disability.

DHS agrees that blindness shall not be the basis for denial or restriction of custody, visitation, adoption, or guardianship of children. DHS is also aware of national reports that parents who are deaf or blind report high rates of child removal and loss of parental rights.

However, DHS Child Welfare Services Branch (CWS) is not aware of instances of discrimination against blind individuals within our programs and services. Additionally, the DHS Civil Rights Office, reports no discrimination complaints have ever been filed by blind parents or on behalf of blind parents with the department. Clear information on how to file a complaint is available on the DHS website, or is provided upon request.

DHS is fully committed to the intent of the measure and to improve our service delivery model. We will examine our staff training curriculum to include more information about working with parents with disabilities and blind parents specifically, and will consult with our Division of Vocational Rehabilitation to improve the way we engage with parents who are blind. However, at this time without more information or evidence of any systemic problems that requires an amendment, the department believes this bill is unnecessary and may potentially result in creating unintended inequalities.

Thank you for the opportunity to testify.



*The Judiciary, State of Hawai'i*

**Testimony to the Senate Committee on Human Services**

Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair

Wednesday, January 31, 2018 at 2:45 pm  
State Capitol, Conference Room 16

By

Catherine H. Remigio  
Senior Judge, Deputy Chief Judge  
Family Court of the First Circuit

**WRITTEN TESTIMONY ONLY**

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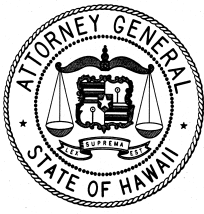
**Bill No. and Title:** Senate Bill No. 2208, Relating to a Right to Parent For Blind Persons

**Purpose:** Establishes parental rights for blind parents or prospective blind parents in the context of child welfare, foster care, family law, and adoption

**Judiciary's Position:**

The Judiciary takes no position on this bill but would like to comment that we are unaware of any case wherein foster custody was granted or visitation denied, due to a parent's blindness.

Thank you for the opportunity to submit testimony on this measure.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2018**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2208, RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS.

**BEFORE THE:**

SENATE COMMITTEE ON HUMAN SERVICES

**DATE:** Wednesday, January 31, 2018      **TIME:** 2:45 p.m.

**LOCATION:** State Capitol, Room 16

**TESTIFIER(S):** Russell A. Suzuki, First Deputy Attorney General, or  
Erin Yamashiro, Deputy Attorney General

---

Chair Green and Members of the Committee:

The Department of the Attorney General appreciates the intent of this bill, but opposes the bill as written because of the following concerns.

The purpose of this bill is to afford more protection to parents or prospective parents who are blind as defined in the bill in cases under chapter 587A, Hawaii Revised Statutes (HRS). In addition to child welfare matters under chapter 587A, HRS, the protection would apply when assessing whether a person is an appropriate placement in adoption, legal guardianship matters, as well as other family court matters involving custody and visitation.

First, this bill has the potential for a constitutional challenge because it provides special protections for blind persons to the exclusion of persons with other disabilities. The Hawaii Supreme Court has held that being a parent is a liberty interest and is protected by due process pursuant to article I, section 5, Hawaii Constitution. See, In re Doe, 99 Hawaii 522 (2002). Therefore, every parent or prospective parent, regardless of the nature of his or her ability or disability, should have the same protections under the law.

Second, chapter 587A, HRS, and the Hawaii Family Court Rules provide judicial safeguards and a judicial appeal process to ensure that every parent is afforded due process when a child is removed from his or her home, and when parental rights are

terminated. Furthermore, pursuant to section 587A-7, HRS, the Department of Human Services (DHS) is required to consider numerous factors when assessing the safety of a home. The risk factors do not include the disability of a parent. In addition, the DHS has an administrative appeal process for a parent or a prospective parent who believes the DHS' decision regarding placement is erroneous. This bill is unnecessary because chapter 587A, HRS, the judicial process, and the administrative process sufficiently protect a person's liberty interest to parent, which includes the liberty interest of a blind person.

We respectfully ask this Committee to hold this bill.



## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • TTY (808) 586-8162

January 31, 2018

### TESTIMONY TO THE SENATE COMMITTEE ON HUMAN SERVICES

#### Senate Bill 2208 - Relating to Right to Parent for Blind Persons

The Disability and Communication Access Board (DCAB) takes no position but provides comments on Senate Bill 2208 that establishes parental rights for blind parents or prospective blind parents in the context of child welfare, foster care, family law and adoption. We do understand the need for this bill, although we support the fact that blindness should not predispose a judgment of incapacity because a person is blind.

Although we understand the purpose of the bill, in general, parents (whether they are sighted or not) do not automatically know how to parent or raise children and are presumed capable unless investigated by Child Protective Services. There are currently other provisions in Hawaii law that are related to child welfare and parental rights. This bill singles out a group of people who appear to need extra protection.

If such a law is passed, will we need similar laws to protect other groups of people that our preconceptions tell us will not be good parents or when the removal of a child was perceived to be on that basis?

Thank you for the opportunity to provide comments.

Respectfully submitted,

A handwritten signature in blue ink that reads "Francine Wai".

FRANCINE WAI  
Executive Director



# Oahu Intertribal Council

501(c)(3)

P.O. Box 29002, Honolulu, HI. 96820

[honolulupowwow@gmail.com](mailto:honolulupowwow@gmail.com)

Phone: (801) 896-4487

Aloha Legislators:

29 January 2018

The Oahu Intertribal Council works to perpetuate the cultures of American Indians and Alaska Natives in Hawaii. For many years, American Indians and Alaska Natives experienced our children being removed from our custody due to prejudiced beliefs about our parental fitness. Whether by forced adoptions or by compulsory enrollment in Indian boarding schools, our families were disrupted by the removal of our children. All family members were negatively impacted. Though there exist variations in beliefs from one American Indian or Alaska Native nation to another, the belief that families should not be separated because of prejudiced beliefs is consistent and pervasive in our peoples.

It has come to our attention that blind people do not have the right to raise their own children here in the State of Hawaii. Just as it is wrong to make assumptions about how effectively a person can raise children based on race, it is also wrong to make assumptions about how effectively a person can raise children based on disability.

We understand that bills have been introduced in the 2018 Hawaii State Legislature to address this issue by creating procedural safeguards to protect families where blind people are the parents: Senate Bill 2208 and House Bill 1928.

We encourage all relevant parties to support the rights of blind people to raise children by supporting these bills.

American Indians and Alaska Natives know the damage caused by removing children from their parents' loving homes. Nobody should ever have to experience that again.

Mahalo,

Jacob Wruck

President, Oahu Intertribal Council

**SB-2208**

Submitted on: 1/28/2018 10:54:41 AM

Testimony for HMS on 1/31/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Patrick Callahan	AARP	Support	No

Comments:

Please support this bill. My research on-line shows blind parents are very capable of raising children. Just Google it!



PUBLIC HEARING TESTIMONY  
SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES  
Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair

Wednesday, January 31, 2018  
2:45PM  
Conference Room 16  
State Capitol  
415 South Beretania Street

To the Senate Committee on Human Services:

My name is Joel Cho and I am a blind parent. My wife died of cancer in July of 2009 and I have been raising my now 17-year old daughter, Lily, on my own for many years now. Lily is an exceptional child who accelerates as a student at West Hawaii Explorations Academy where she maintains a very high grade point average. This year as a junior she has begun college courses at the new University of Hawaii West Hawaii Palama Nui campus, she will travel to California for two weeks with her robotics team as they compete in national competitions and tour many college campuses in that State. Lily will also be touring England in the beginning of the summer, and she plans to attend a summer semester at an art school in Michigan. Lily is also an accomplished pianist and her Dance club will be performing in Waimea's Kahilu theater in April. During the holiday season, Lily was hired along with many other teenagers as a temporary seasonal worker at Target and has managed to be one of the few who have been able to secure a permanent part time position.

I taught my daughter to read when she was 3 years old and her love for reading and learning has continued to grow. I've done my best to continue to guide her and give her good life advice; "work hard, study hard, get a good education, and do better for yourself than I ever did..." Living in rural South Kona has had its challenges with the lack of public transportation and other conveniences but we always managed to find our way. Raising a young child through their teenage years has also been met with its challenges; knowing when to be there for her emotionally, building her up, understanding when to listen and when to provide direction or advice, helping her understand that there is nothing in this world that can stop her from chasing her dreams and taking control of her own destiny, and the hardest part, leaving her alone when she needs her own space in her teenage world.

My blindness, caused by an incurable disease, retinitis pigmentosa, has sometimes been a nuisance but never an obstacle in raising my child. If I ever become blessed with another child and if tragedy struck again and I found myself alone as a parent, as much as it would break my heart to leave the place that I was born and raised and the place that I will always call home, I would never be able to stay in a place that would deny my child the right to have me as a parent.

Mahalo for taking the time to hear this bill, which addresses one of the most pressing civil rights issues of today in Hawaii. In our state, blind people do not currently have the right to parent children, and I respectfully request that this right be established.

When new parents meet their new baby in the delivery room, it is always a powerful emotional experience. For blind parents, there are extra emotions, which are not inherent consequences of blindness. Blind parents in Hawaii face the reality that their child can legally be taken away from them at birth and placed in the care of the state, simply because they are blind.

When parents take their children to a doctor's office for a regular checkup or maybe a sick visit, the results of the visit can always create emotions. For blind parents in Hawaii, these visits often entail interrogation from allied health professionals and social workers, who often do not believe that a blind parent can raise a child safely and effectively. A sighted parent has the privilege of being able to leave when it's time to go, but a blind parent must face the gatekeeper, who might not let them leave.

Adoption and foster care programs are also potential ways of building a family. For blind prospective parents in Hawaii, blindness can be used to deny them the opportunity to serve as foster parents or adopt a child. The parents and children alike can benefit from having an ohana if we let them.

In family law proceedings, for blind parents in Hawaii, courts can determine that a blind parent is unfit for custody rights without proving anything beyond blindness. A sighted parent has an unfair and baseless advantage over a blind parent in a process which is supposed to be fair. This judgment is flawed. Custody decisions should be carefully examined in many dimensions, but eyesight is irrelevant.

Daily lives of sighted people do not require them to understand how blind people function, but this should not lead to prejudiced assumptions about what blind people can and cannot do. Blind people have been raising children forever, and I respectfully ask you to give them/us the right to continue.

Sincerely,

Joel Cho

81-899 Halekii Street

Kealahou, HI

96750

1-808-779-2912 (mobile)

1-808-238-0526 (home)

[joelcho@hawaii.rr.com](mailto:joelcho@hawaii.rr.com)

**From:** [Amanda Lemke](#)  
**To:** [HMS Testimony](#)  
**Subject:** SB 2208 Relating to a Right to Parent for Blind Persons  
**Date:** Monday, January 29, 2018 2:11:42 PM

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To whom it may concern,

I am a (now adult) child of a blind mother. My father who was mentally and physically abusive tried to use her blindness as a factor for a reason as to why he would have been a better parent, even threatening to kidnap us to the point my mother almost felt helpless at one time, but she never gave up and she was granted full physical custody after undergoing expensive psychological testing. A persons visual impairment does not determine their fitness to parent. The love, safety, security, ability to provide food clothing and shelter for their child- all of which my mother possessed then and now and most blind parents just like any other parent possess. It would be traumatizing not only for these parents but also their children to be punished solely on the basis of a disability. Thank you for taking the time to hear these testimonies, and please pass SB 2208.

Amanda Lemke

808-675-1054

Sent from my iPhone

PUBLIC HEARING TESTIMONY  
SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES  
Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair

Wednesday, January 31, 2018  
2:45PM  
Conference Room 16  
State Capitol  
415 South Beretania Street

To the Senate Committee on Human Services:

Mahalo for taking the time to hear this bill, which addresses one of the most pressing civil rights issues of today in Hawaii. In our state, blind people do not currently have the right to parent children, and I respectfully request that this right be established.

I am 28 years old, and I am a heterosexual, single man. I am getting to that point in my life where I am hoping to meet the right woman, get married, and start a family. I do not yet know who that woman is, but I am hoping to be proactive to make it so that we will both have the right to raise our own children regardless of whether she, too, is blind.

I think of dating as the process of finding the person who one will eventually marry. For me, the lack of right to raise my own children adds confusion to the dating scene because it places a limitation, albeit far-off, on how far any given relationship can truly go. Until a blind person's right to parent is established, I cannot enjoy the privilege of having the full American dream without the lingering threat of losing my children.

If I marry a blind woman, neither of us will have the right to raise our children. Our family stability will be at risk until the passage of this bill.

If I marry a sighted woman, my access to my children will depend upon my staying married to her and her remaining sighted or otherwise fit to parent. If, God forbid, she passes away, I will be at risk of losing my children, as well, because I, as the only remaining parent, could be determined unfit because of my blindness.

All I am requesting is the opportunity to make these important life decisions for the same reasons that a sighted person might make them. I don't want the fear of losing my children due to prejudice toward blindness.

Daily lives of sighted people do not require them to understand how blind people function, but this should not lead to prejudiced assumptions about what blind people can and cannot do. Blind people have been raising children forever, and I respectfully ask you to give us the legal right to continue.

Sincerely,

Justin Salisbury  
1617 Kapiolani Boulevard, Apartment 1402  
Honolulu, Hawaii, 96814

PUBLIC HEARING TESTIMONY  
SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES  
Senator Josh Green, Chair  
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When parents take their children to a doctor's office for a regular checkup or maybe a sick visit, the results of the visit can always create emotions. For blind parents in Hawaii, these visits often entail interrogation from allied health professionals and social workers, who often do not believe that a blind parent can raise a child safely and effectively. A sighted parent has the privilege of being able to leave when it's time to go, but a blind parent must face the gatekeeper, who might not let them leave.

Adoption and foster care programs are also potential ways of building a family. For blind prospective parents in Hawaii, blindness can be used to deny them the opportunity to serve as foster parents or adopt a child. The parents and children alike can benefit from having an ohana if we let them.

In family law proceedings, for blind parents in Hawaii, courts can determine that a blind parent is unfit for custody rights without proving anything beyond blindness. A sighted parent has an unfair and baseless advantage over a blind parent in a process which is supposed to be fair. This judgment is flawed. Custody decisions should be carefully examined in many dimensions, but eyesight is irrelevant.

Daily lives of sighted people do not require them to understand how blind people function, but this should not lead to prejudiced assumptions about what blind people can and cannot do. Blind people have been raising children forever, and I respectfully ask you to give them/us the right to continue.

Sincerely,

Name Joy Foster

Address 76-6222 Plumeria Rd.

Kailua-Kona, HI. 96740

PUBLIC HEARING TESTIMONY  
SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES  
Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair

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Sincerely,

Susan Rockwood Gashel  
2801 Coconut Ave. #6G  
Honolulu, HI 96815

**SB-2208**

Submitted on: 1/31/2018 9:50:43 AM

Testimony for HMS on 1/31/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shellford Cantan	National Federation of the Blind	Support	Yes

Comments:

Aloha! My name is Shellford Cantan, and I am a proud blind parent of a beautiful 2 year old baby boy. He means the world to me, and I work hard everyday to make sure he grows up to be a loving and respectful member of society. I support this bill because I want to make certain that our right to parent as blind residents of this beautiful state we live in never gets taken from us because of societies misperceptions and low expectations. Please make certain that this SB2208 passes.

Mahalo,

Shellford V. Cantan Jr.

**SB-2208**

Submitted on: 1/31/2018 10:02:17 AM

Testimony for HMS on 1/31/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Casandra Certeza	National Federation of the Blind of Hawaii	Support	No

Comments:

PUBLIC HEARING TESTIMONY

SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES

Senator Josh Green, Chair

Senator Stanley Chang, Vice Chair

Wednesday, January 31, 2018

2:45PM

Conference Room 16

State Capitol

415 South Beretania Street

To the Senate Committee on Human Services:

Mahalo for taking the time to hear this bill, which addresses one of the most pressing civil rights issues of today in Hawaii. In our state, blind people do not currently have the right to parent children, and I respectfully request that this right be established.



When new parents meet their new baby in the delivery room, it is always a powerful emotional experience. For blind parents, there are extra emotions, which are not inherent consequences of blindness. Blind parents in Hawaii face the reality that their child can legally be taken away from them at birth and placed in the care of the state, simply because they are blind.

When parents take their children to a doctor's office for a regular checkup or maybe a sick visit, the results of the visit can always create emotions. For blind parents in Hawaii, these visits often entail interrogation from allied health professionals and social workers, who often do not believe that a blind parent can raise a child safely and effectively. A sighted parent has the privilege of being able to leave when it's time to go, but a blind parent must face the gatekeeper, who might not let them leave.

Adoption and foster care programs are also potential ways of building a family. For blind prospective parents in Hawaii, blindness can be used to deny them the opportunity to serve as foster parents or adopt a child. The parents and children alike can benefit from having an ohana if we let them.

In family law proceedings, for blind parents in Hawaii, courts can determine that a blind parent is unfit for custody rights without proving anything beyond blindness. A sighted parent has an unfair and baseless advantage over a blind parent in a process which is supposed to be fair. This judgment is flawed. Custody decisions should be carefully examined in many dimensions, but eyesight is irrelevant.

Daily lives of sighted people do not require them to understand how blind people function, but this should not lead to prejudiced assumptions about what blind people can and cannot do. Blind people have been raising children forever, and I respectfully ask you to give them/us the right to continue.

I am a blind parent and I support this bill. I experienced this firsthand when my own mother told me that I need somebody cited to raise my son. Yes, I need a cited doctor to do a medical check up on my son and a cited driver to take my groceries home but I don't need a cited partner or a cited caretaker to help me take care of my son. If I was able to graduate with a masters degree and was able to work at a lot of different competitive jobs, I am definitely qualified to raise my son.

In addition to my own mother, the Filipino culture, one cook at a restaurant in particular believes the same way. For instance, I overheard one of the cooks at Richie's Drive Inn made a very demeaning comment that really bothered me. She said in Tagalog, that she felt sorry for my son because both of his parents are blind. I wanted to say something to her the minute I heard her say this things but I decided to just let her go and possibly educate her and the public in the future. Lack of education and ignorance

really does lead to misguided judgments. We love our son unconditionally and make extra efforts to make sure that he is healthy, happy and safe.

When we took our son for a routine medical check up, our son's pediatrician transferred to a different clinic. So we were seen by a different pediatrician. He decided to call a social worker after he asked us some questions. He claimed that it was a normal procedure for doctors to call in a social worker after a medical check up. But in my opinion that wasn't normal. He had lots of doubts about us because he saw that we were blind. We allowed the social worker to come in and talk to us. It was an awkward conversation. We felt like the conversation was unnecessary. Because I guarantee they wouldn't do this

to a sighted parent.

These incidents and probably other upcoming incidents are the reason why I support this bill.

Sincerely,

Casandra Certeza, MS, CRC

1250 Richard Ln, Apt 203

Honolulu, HI 96819

[\(808\) 797-7495](tel:(808)797-7495)

**SB-2208**

Submitted on: 1/31/2018 11:46:31 AM

Testimony for HMS on 1/31/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachel-Star Brandt		Support	No

Comments:

PUBLIC HEARING TESTIMONY

SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES

Senator Josh Green, Chair

Senator Stanley Chang, Vice Chair

Wednesday, January 31, 2018

2:45PM

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Sincerely,

Rachel Awa

91-887 Puhikani st Ewa Beach, 96706

PUBLIC HEARING TESTIMONY  
SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES  
Senator Josh Green, Chair  
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Wednesday, January 31, 2018  
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To the Senate Committee on Human Services:

Mahalo for taking the time to hear this bill, which addresses one of the most pressing civil rights issues of today in Hawaii. In our state, blind people do not currently have the right to parent children, and I respectfully request that this right to be established.

I personally do not have any children yet but was raised by two blind parents. My life was absolutely different then the lives of my classmates but by no means negatively. Both of my parents were there to help me in every aspect of growing up and at times more so then some of the other children that were in my class. I could go into grave detail about my father being one of the leaders of our cub Scott troop. How before Dad started coming to our cub Scott meetings all we did with the sighted troop leaders was read out of the book but once Dad signed on we did all sorts of experiments and projects that all the troop got to enjoy not just myself. Or how my mother, who is my biggest fan, had everything we ever needed at home or ready for us every day before she went off to work every morning herself.

All the details of the life they provided for me is more than enough to prove that they are as capable as any other adult in raising a child and this is true for any blind person. So many children that are taken from their families for so many reasons and they are forced to grow up and try to survive in what may be a better situation then their previous one but is still by no means a good situation. Blindness is not and should not be one of those reasons. With the technology and training available for those that are blind there is no reason to believe those that want to lead what would is considered a normal life can't.

I cannot imagine a life without my parents or with anyone else as my guardians and am sure my sister feels the same way. I have joked in the past that the only difference of growing up with blind parents, I was always the kid that needed a ride.

Sincerely,

David Maurer

2462 Kuhio Ave Apt 114<sup>1</sup>  
Honolulu HI 96815

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PUBLIC HEARING TESTIMONY  
SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

COMMITTEE ON HUMAN SERVICES  
Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair

Wednesday, January 31, 2018  
2:45PM  
Conference Room 16  
State Capitol  
415 South Beretania Street

To the Senate Committee on Human Services:

Mahalo for taking the time to hear this bill, which addresses one of the most pressing civil rights issues of today in Hawaii. In our state, blind people do not currently have the right to parent children, and I respectfully request that this right be established.

When new parents meet their new baby in the delivery room, it is always a powerful emotional experience. For blind parents, there are extra emotions, which are not inherent consequences of blindness. Blind parents in Hawaii face the reality that their child can legally be taken away from them at birth and placed in the care of the state, simply because they are blind.

When parents take their children to a doctor's office for a regular checkup or maybe a sick visit, the results of the visit can always create emotions. For blind parents in Hawaii, these visits often entail interrogation from allied health professionals and social workers, who often do not believe that a blind parent can raise a child safely and effectively. A sighted parent has the privilege of being able to leave when it's time to go, but a blind parent must face the gatekeeper, who might not let them leave.

Adoption and foster care programs are also potential ways of building a family. For blind prospective parents in Hawaii, blindness can be used to deny them the opportunity to serve as foster parents or adopt a child. The parents and children alike can benefit from having an ohana if we let them.

In family law proceedings, for blind parents in Hawaii, courts can determine that a blind parent is unfit for custody rights without proving anything beyond blindness. A sighted parent has an unfair and baseless advantage over a blind parent in a process which is supposed to be fair. This judgment is flawed. Custody decisions should be carefully examined in many dimensions, but eyesight is irrelevant.

Daily lives of sighted people do not require them to understand how blind people function, but this should not lead to prejudiced assumptions about what blind people can and cannot do. Blind people have been raising children forever, and I respectfully ask you to give us the right to continue.

Sincerely,

Khamtoun Porter  
45-577 Waikalua Place  
Kaneohe, HI 96744

PUBLIC HEARING TESTIMONY  
SUPPORTING SENATE BILL 2208 - RELATING TO A RIGHT TO PARENT FOR BLIND PERSONS

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Sincerely,

Rita Porter  
45-577 Waikalua Place  
Kaneohe, HI 96744