

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

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 2790, RELATING TO THE RIGHTS OF CHILDREN IN FOSTER CARE.

**BEFORE THE:**

SENATE COMMITTEE ON HUMAN SERVICES

**DATE:** Monday, February 5, 2018 **TIME:** 3:45 p.m.

**LOCATION:** State Capitol, Room 016

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

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Chair Green and Members of the Committee:

The Department of the Attorney General supports this bill but suggests some modifications to address technical issues.

The purpose of this bill is to amend the Child Protective Act, chapter 587A, Hawaii Revised Statutes, by deleting the existing section 587A-3, Guiding principals for children in foster care, and replacing it with a new section 587A- , Rights of children in foster care.

On page 3, line 21, the word "and" should be added after "organizations," so that the line reads as follows:

"living programs, foster youth organizations, and".

On page 4, line 11, the word "and" should be added after "guardian ad litem;" so that the line reads as follows:

"the child's guardian ad litem; and".

On page 4, line 20, the word "and" should be added after "records," so that the line reads as follows:

"records, and a driver's license or state identification".

On page 5, line 2, the semicolon should be replaced with a period so that the line reads as follows:

"13, 119 Stat. 302."

On page 6, line 5, the word “and” should be added after “school;” so that the line reads as follows:

“new school; and”.

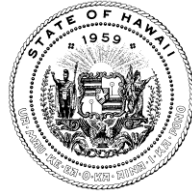
On page 6, line 7, the semicolon should be replaced with a period so that the line reads as follows:

“all other students.”

We respectfully recommend that the Committee make the suggested technical modifications and pass this measure.

DAVID Y. IGE  
GOVERNOR

DOUGLAS S. CHIN  
LIEUTENANT GOVERNOR



LEONARD HOSHIJO  
ACTING DIRECTOR

**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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Phone: (808) 586-8844 / Fax: (808) 586-9099  
Email: [dlir.director@hawaii.gov](mailto:dlir.director@hawaii.gov)

February 2, 2018

To: The Honorable Josh Green, Chair;  
The Honorable Stanley Chang, Vice Chair; and  
Members of the Senate Committee on Human Services

Date: Monday, February 5, 2018  
Time: 3:45 p.m.  
Place: Conference Room 16, State Capitol

From: Leonard Hoshijo, Acting Director  
Department of Labor and Industrial Relations (DLIR)

**Re: S.B. No. 2790 Relating to the Rights of Children in Foster Care**

Chair Green, Vice Chair Chang, and Members of the Committee, thank you for the opportunity to comment on SB2790. SB2790 proposes to amend the Child Protective Act, chapter 587A, Hawaii Revised Statutes (HRS), by deleting the existing section 587A-3 (Guiding Principles for children in foster care) and replacing it with a new section 587A-3 (Rights of children in foster care).

DLIR supports this measure, DLIR has been a part of the community partnership with the Department of Human Services (DHS) and its providers and defers to DHS for technical issues.

Foster youth who age out of the foster care system as working age adults are a vulnerable group with a high risk for homelessness, substance abuse, and mental health issues. While in foster care, they are subject to greater court supervision, more school changes, and strict limitations on social activities, which adversely affect their preparedness for work or post-secondary education.

DLIR supports the intent of this measure to keep foster youth in the same school to the extent possible and otherwise give youth a more positive foster care experience that enables them to learn how to take care of themselves in productive ways and sustain good relationships during their childhood and teen years. Brain research has shown how having positive role models and greater connections with supportive adults can shape young people at risk into successful adults who contribute to society and the economy.



*The Judiciary, State of Hawai‘i*

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

Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair

Monday, February 5, 2018 at 3:45 pm  
State Capitol, Conference Room 16

By

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

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**Bill No. and Title:** Senate Bill No. 2790, Relating to the Rights of Children in Foster Care.

**Purpose:** Amends the Child Protective Act, chapter 587A, Hawai‘i Revised Statutes, by deleting the existing section 587A-3, Guiding Principles for children in foster care, and replacing it with a new section 587A - Rights of children in foster care.

**Judiciary's Position:**

The Judiciary writes in strong support of this bill because it expresses the Legislature’s strong support of foster children—their welfare and their independence.

This bill codifies best practices; practices that were developed with significant input from foster children and former foster children. In our own state, these practices have been discussed at annual gatherings among foster youth, former foster youth, the family court, and child serving public and private agencies. These practices garnered strong consensus among all of the participants. Whenever possible, the Family Court applies best practices that are within our control. For example, at page 5, from line 13, the bill affords a foster child the right to “meet with and speak to the presiding judge in the child's case.” For years, the Family Court of the First Circuit has required that foster children are informed of the court’s invitation to them to come to court. When the system began, we had very few “takers.” However, as the entire system became accustomed to this requirement, more and more children and youth came to court



Senate Bill No. 2790, Relating to the Rights of Children in Foster Care  
Senate Committee on Human Services  
Monday, February 5, 2018 at 3:45 p.m.  
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to talk to “their” judge. Just recently, in a morning calendar for one judge, 22 children claimed this right and each spoke to “their” judge individually.

We respectfully offer one amendment to the bill.

At page 4, from line 12, the bill recognizes the importance of equipping the aging out youth with basic documents that we all take for granted, including, certified birth certificates and social security cards. However, as it is drafted, there may not be enough time for these documents to be gathered. The bill requires that the youth be in foster care for at least 6 months before the section is activated. If a youth goes into foster care at 17.5 years, this section becomes effective at the same time the youth “ages out.” This section also appears to place the burden of collecting these documents on the youth. This task calls for the ability to navigate different and sometimes labyrinthine bureaucracies. We respectfully suggest the following changes:

~~“(14) If the child ~~has been~~ in foster care ~~is 17 years old, for more than six months, and is aging out of care, receive assistance in the department shall~~ obtaining for the child prior to aging out of care certain personal records such as an official or certified copy of the child's United States birth certificate, a Social Security card issued by the Commissioner of Social Security, health insurance information, a copy of the child's medical records or information to access the child's medical records free of charge, immigration documents, a driver's license or state identification card issued by the State in accordance with the requirements of the REAL ID Act of 2005, Pub.L. 109-13, 119 Stat. 302;”~~

[the proposed changes without Ramseyer formatting]

“(14) If the child in foster care is 17 years old, the department shall obtain for the child prior to aging out of care certain personal records such as an official or certified copy of the child's United States birth certificate, a Social Security card issued by the Commissioner of Social Security, health insurance information, a copy of the child's medical records or information to access the child's medical records free of charge, immigration documents, a driver's license or state identification card issued by the State in accordance with the requirements of the REAL ID Act of 2005, Pub.L. 109-13, 119 Stat. 302;”

We commend the Legislature for its care and support of one of the most vulnerable populations in our community. These children have very few family resources and are ill equipped to move toward adulthood. And yet, in our courtrooms, we are consistently moved and impressed by the resilience and grace exhibited by these children. On their behalf, we



Senate Bill No. 2790, Relating to the Rights of Children in Foster Care  
Senate Committee on Human Services  
Monday, February 5, 2018 at 3:45 p.m.  
Page 3

respectfully ask for favorable consideration of our proposed amendments and we urge passage of this bill.

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



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/05/2018  
**Time:** 03:45 PM  
**Location:** 016  
**Committee:** Senate Human Services

**Department:** Education

**Person Testifying:** Dr. Christina M. Kishimoto, Superintendent of Education

**Title of Bill:** SB 2790 RELATING TO THE RIGHTS OF CHILDREN IN FOSTER CARE.

**Purpose of Bill:** Amends the Child Protective Act, chapter 587A, Hawaii Revised Statutes, by deleting the existing section 587A-3, Guiding Principles for children in foster care, and replacing it with a new section 587A- , Rights of children in foster care.

**Department's Position:**

The Department of Education (Department) supports SB 2790. This proposed measure recognizes the unique needs of children in foster care by codifying children rights, increasing educational stability, and improving educational outcomes for these youth.

Further, SB 2790 better aligns to Hawaii statute to key elements of the foster care provision under the federal Every Student Succeeds Act (ESSA), including but not limited to: dispute resolution process, transportation procedures and immediate enrollment and records transfer, as well as identifying key points of contact at each school.

The Department, in collaboration with Hawaii Department of Human Services, has also worked to develop guidelines for implementation of statewide guidance that will provide information about the significance of educational stability in the life of a foster child.

Thank you for the opportunity to provide testimony on SB 2790.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at [www.hawaiipublicschools.org](http://www.hawaiipublicschools.org).



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*Neighbor Island Board Liaison*

February 1, 2018

Committee on Health and Human Services  
Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair

### **RE: SB 2790 RELATING TO RIGHTS OF CHILDREN IN FOSTER CARE----IN SUPPORT**

Dear Senators Green and Chang and Committee Members:

Thank you for the opportunity to provide brief testimony in support of SB 2790. This needed bill is the result of a thoughtful collaborative process that used the voice of current and former youth in care to guide its intent and direction.

The proposed Bill of Rights seeks to empower our keiki in foster care and ensure they have the same rights as youth who are not in care and the rights that should be afforded to any young person: to live, in safe, nurturing homes, have health coverage and access to needed resources, be able to stay connected to biological families (in particular, siblings), enjoy social and community activities, be the driver of their service planning, be consulted on matters concerning them, have opportunities for self-expression and advocacy and be treated fairly.

As an agency who has strived to help youth in foster care learn skills, make positive connections, continue with education and/or locate employment, and have the self-confidence to succeed as an adult, this Bill of Rights is an essential ingredient to making this all happen. Positive outcomes in these key areas will only benefit the young people and their communities.

Please demonstrate the respect we know you have for these children in care by passing this Bill.

Thank you again for the opportunity to testify.

Sincerely,

Jaque Kelley-Uyeoka, MSW  
Deputy CEO, Hale Kipa, Inc.



ALOHA UNITED WAY  
KAUAI UNITED WAY  
HAWAII ISLAND UNITED WAY







## CATHOLIC CHARITIES HAWAII

### **TESTIMONY IN SUPPORT OF SB 2790: Relating to the Rights of Children in Foster Care**

TO: Senator Josh Green, Chair, Senator Stanley Chang, Vice Chair, and Members, Committee on Human Services

FROM: Terrence L. Walsh, Jr., President and Chief Executive Officer

**Hearing: Monday, February 5, 2018; 3:45 PM; CR 16**

Chair Green, Vice Chair Chang, and Members, Committee on Human Services:

Thank you for the opportunity to provide testimony **in support** of SB 2790, which amends the Child Protective Services Act re the rights of children in foster care. I am Terry Walsh, with Catholic Charities Hawai'i.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 60 years. CCH has programs serving elders, children, developmentally disabled, homeless and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i.

Catholic Charities Hawai'i supports this bill since it would bring Hawai'i's law into compliance with federal guidelines on the rights of children who end up in the foster care system.

We believe that every child has inherent dignity and deserves to grow in a safe environment. This bill would enhance the Department of Human Services current rights for children/youth in foster care to ensure safety and quality of life in a nurturing environment.

Children who end up in foster care have already suffered much trauma. When it is safe, they should have the right to see or contact their siblings and parents. In fact older siblings may often have taken over the parenting role in a family with smaller children. Keeping family connections and other provisions of this bill would enhance children's ability to grow and develop their potential in a nurturing environment.

We urge you to pass SB 2790. Please contact our Legislative Liaison, Betty Lou Larson, at 373-0356, or at [bettylou.larson@catholiccharitieshawaii.org](mailto:bettylou.larson@catholiccharitieshawaii.org), if you have any questions.



# HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: [info@hysn.org](mailto:info@hysn.org)

Rick Collins, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of  
Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of  
West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action  
Network

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Maui Youth and Family Services

P.A.R.E.N.T.S., Inc.

Parents and Children Together  
(PACT)

Planned Parenthood of the  
Great Northwest and  
Hawaiian Islands

PHOCUSED

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community  
Center

The Catalyst Group

February 2, 2018

To: Senator Josh Green, Chair  
And members of the Committee on Human Services

## **TESTIMONY IN SUPPORT OF SB 2790 RELATING TO RIGHTS OF CHILDREN IN FOSTER CARE**

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports SB 2790 Relating to Rights of Children in Foster Care.

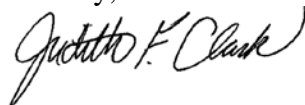
Some of the rights specified in the bill ensure that basic health and safety needs are met. Others enable and empower children and youth in foster care to participate in planning for their own futures. Efforts to keep foster children in their home schools help them to maintain their natural support systems.

Children and youth in foster care often feel that their lives are out of their control. They often feel that their voices are not heard.

This bill of rights will protect children from harm while in care, enable them to be involved in decisions that affect their lives, and is likely to lead to better outcomes for children in the child welfare system.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director

**SB-2790**

Submitted on: 2/1/2018 2:36:19 PM

Testimony for HMS on 2/5/2018 3:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Allen B Bartolome		Support	No

Comments:

**JUDITH WILHOITE · KAILUA · HAWAII · 96734**

To: Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair  
Committee on Human Services

Hearing: Monday, February 5, 2018  
3:45PM  
Conference Room 16

From: Judith Wilhoite

RE: SB 2790 Relating to the Rights of Children in Foster Care

Aloha,

My name is Judith Wilhoite. My husband and I have been foster parents for over 20 years. I thank you for this opportunity to voice very strong support for SB2790.

Reading this bill, I am struck by how comprehensive it is and I support each and every article in it. I would like to comment specifically on rights 5, 6, 7, and 10.

(5) Family is the most important thing for most of us. Our foster youth are no exception. Committing to making sure our youth have regular visits with their parents and siblings is, in most cases, the right thing to do and can result in better outcomes for all. Research shows that when visits begin early in a case and are consistent, there is a much higher rate of reunification for the family. This benefits the family and the community at large. In addition, I have seen many youth age out, only to become licensed resource caregivers themselves so that they are able to care for their younger siblings. This is the perfect example of just how important family is to our youth.

(6) When youth attend their court hearings, they can get information about what is happening with their parents and other family members, can ask the judge for help with something that is important to the youth, can have a say in planning for educational or vocational goals and in planning for their future. The state of Hawai`i has made great strides in making the court room a welcoming, supportive environment for our youth, in part by the creation of an In-Court Youth Facilitator. The facilitator greets youth when they come to court, describes the type of hearings that take place, goes over the guiding principles and resources, and encourages youth to talk to the judges about needs, concerns, wants. These important and wonderful things can only happen IF the youth receives notice of court hearings and is transported to the court hearings. Thus I strongly support Right # 6.

(7) Having consistent, in-person contact with their child welfare services worker is paramount to the youth's needs being understood and met. However, for this to happen, we need to be sure

that the Department of Human Services staff has a manageable case load and the tools they need to help our youth and families.

(10) Being able to participate in extracurricular, enrichment, cultural, and social activities helps to instill a sense of self in youth by encouraging them to be active in dance, music, art, student government, clubs on campus, sports teams, etc. These are all meaningful ways to develop a sense of identity. Learning new skills will lead to greater self-confidence, which will in turn help youth make good life choices.

Each and every Right in this bill is important and can help our youth grow into healthy, productive adults. I thank you for hearing this bill and strongly support its passage.

February 2, 2018

To: Senate Committee on Human Services  
Hearing on Monday, February 5, 2018, at 3:45 p.m. in CR 16

Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair  
Members of the Senate Committee on Human Services

Re: S.B. 2790 Relating to the Rights of Children in Foster Care  
Testimony of Josephine L. Chang in Strong Support

Dear Chair Green, Vice Chair Chang, and Members of the Senate Committee on Human Services,

I am writing in strong support of S.B. 2790 Relating to the Rights of Children in Foster Care, that seeks to update the Child Protective Act by incorporating the existing guiding principles of children in foster care currently set forth in section 587-3, HRS, of the Child Protective Act, into a replacement section that provides rights for children in foster care, strengthens protections, and gives clearer guidance for the care of children and youth in foster care. The amendments in this bill also makes clear that culturally diverse children and youth in foster care, who are among the most vulnerable and often fall through the cracks in the “system”, also have rights and protections. These strengthening provisions will help to assure that all foster children and youth in the State’s care will be supported towards healthy and positive outcomes.

I respectfully ask all of you for your support for S.B. 2790.

Mahalo,

Josephine L. Chang, Esq. (Ret.)  
LGBTQ Consultant and Trainer  
& Community and Parent Support

**To: Senate Committee on Human Services, February 4, 2018**

**From: KEOLA LIMKIN**

**Re: Testimony in SUPPORT OF SB 2790**

Hello and aloha Chair and members of the Senate Committee on Human Services. My name is Keola Limkin, I am 26 years old, and I am in strong support of SB 2790. I am a former member of the HI HOPES Youth Leadership Board, a graduate student at the University of Hawai'i at Mānoa and am currently employed with EPIC 'Ohana. I am submitting this testimony as an individual and not as a representative of EPIC 'Ohana.

I spent three years growing up in foster care in Hilo up until I graduated from high school. As I spent time with my foster dad growing up, I was not notified or encouraged to go to my court hearings. In result, I was filled with negative images of my family court judge without truly understanding their role. According to a survey taken by a convenient sample of Hawai'i foster youth in 2016, seven out of 43 youth did not know they had a right to attend their court hearings. Any youth that do not know is unacceptable.

Lastly, I feel blessed to have been involved with my high school's Leo club and judo team. It meant the world to me when my foster dad came to watch my judo matches. These activities and positive relationships definitely helped my brain to rewire past trauma. Now, I serve on the National Jim Casey Youth Opportunities Initiative Policy Council and I possess the social knowledge to work collaboratively with others.

These proposed rights of children in foster care upholds the vision for these youth to achieve safety, permanency, and well-being. I ask that we move forward to create a stronger collective community in our Island chain, ka pae 'āina Hawai'i, and pass Senate Bill 2790. Thank you very much for your time.

COMMITTEE ON HUMAN SERVICES  
Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair  
**MONDAY, FEBRUARY 5, 2018**

Position: **SUPPORT SB2790**

Chair **Green** and Members of the Committee:

**I strongly support this bill.** In 2017, over 2,600 children in Hawai'i were involved in the foster care system. They represent our most vulnerable keiki. In addition to being removed because of unsafe conditions in the home, they are often separated from siblings, moved from foster home to foster home, school to school, and suffer poor outcomes in the areas of housing, health care, employment and education if they exit the system as young adults. Although there are federal and state policies and laws that support things like visiting their siblings, staying in the same school or going to court to talk to the judge about their case, many foster youths don't know they have rights. ***Having a foster youth bill of rights that captures all of these protections for foster youth promotes empowerment, stability and well-being for foster youth.*** A current statute exists in Hawai'i that provides guidance around what can and should be afforded to foster youth in care. This statute is over a dozen years old and needs to be updated, strengthened and designed to reflect current federal and state policies and law.

Mahalo,

Ken Farm

Member-At-Large  
Neighborhood Board No. 15  
Kalihi-Palama



To: Senate Committee on Human Services  
From: Anastasia Neumann, HI H.O.P.E.S. Youth Leadership Board (OAHU)  
Re: **Testimony in SUPPORT of SB 2790,  
RELATING TO RIGHTS OF CHILDREN IN FOSTER CARE**

Good afternoon members of the Senate Committee on Human Services. My name is Anastasia Neumann and I am 17 years old. I am a member of the HI H.O.P.E.S. Youth Leadership Board on OAHU. HI H.O.P.E.S. stands for Hawaii Helping Our People Envision Success. The HI H.O.P.E.S. Youth Leadership Board provides the youth voice for the Department of Human Services-Child Welfare Services and the HI HOPES Initiative. Our work includes identifying needs of transitioning foster youth, educating stake holders and advocating for public will and policy changes.

I would like to submit testimony in support of SB No. 2790, which promotes the rights of children in foster care.

Foster youth should have rights that give us the same opportunities as other children. Young people will have the right to access their vital documents such as a birth certificate, social security card, and even obtain a driver's license, which in turn helps me to obtain employment while in foster care and as I exit foster care.

This is particularly important to me because I want a stable, productive future. Unlike my father who had to work two jobs and still struggled to keep food on the table.

Through a Jim Casey Initiative study, I've learned that 22% of employed young people who experienced foster care do not earn enough to rise out of poverty, and 71% earn less than \$25,000 a year. Having a right that ensures we receive our vital documents while in care and as we exit care to adulthood is important for us to get a job, housing and go to school.

In closing, I respectfully ask that you support the well-being and empowerment of foster youth in Hawaii by passing Senate Bill 2790. Thank you very much.



To: Senate Committee on Human Services  
From: Delia Ulima, EPIC 'OHANA  
Re: **Testimony in SUPPORT of SB 2790,  
RELATING TO RIGHTS OF CHILDREN IN FOSTER CARE**

Good afternoon members of the Senate Committee on Human Services. My name is Delia Ulima, I am a Statewide Initiative Manager for the HI HOPES Initiative at EPIC 'Ohana and I would like to testify in strong support of SB 2790-relating to the rights of youth and children in foster care.

I oversee the statewide work of the HI HOPES youth boards. These boards are made up of current and former foster youth who advocate for changes in the systems and support for young people impacted by foster care. I have worked in this field for several years, listening to and assisting young people in their advocacy efforts to transform child welfare and speak on behalf of other foster youth.

This bill conveniently codifies in one place the several federal, state and department policies that already exist to support foster youth while in care. It updates an existing statute to reflect current law and the current needs of young people in care. It is both practical and essential in that it outlines for adult supporters and key people in positions of authority like a judge, social worker or GAL-the provisions afforded foster youth. These rights are a foundation for empowerment and success for foster youth. Knowing that they have the right to attend their court hearing, play a sport, stay in the same school, see their siblings, and more, are just basic things we can provide for these young people who suffer loss, separation, trauma and are moved around and disempowered in so many ways. Having a bill of rights is the legal, ethical and sensible thing to do so we can provide a path for well-being and success for Hawaii's most vulnerable keiki.

I respectfully ask that you support the well-being and empowerment of foster youth in Hawaii by passing Senate Bill 2790. Thank you very much.



Karen Worthington  
66 Puakea Place  
Kula, HI 96790

February 2, 2018

To: Senator Josh Green, Chair  
Senator Stanley Chang, Vice Chair  
Senate Committee on Human Services

From: Karen Worthington, JD, CWLS  
EPIC 'Ohana Board Chair

Re: SB2790 – Relating to the Rights of Children in Foster Care  
**Hawaii State Capitol, Conference Room 16, February 5, 2018, 3:45 PM**

**Position: I strongly support SB2790 Relating to the Rights of Children in Foster Care**

Dear Senator Green, Senator Chang, and Committee Members:

I appreciate the opportunity to provide testimony in support of SB 2790, which will ensure that the state provides youth in foster care with rights that will keep them safe, informed, empowered and thriving.

In 2017, over 2,600 children were involved in our state's foster care system. These are young people who are victims of maltreatment by their parents. They experienced trauma in their homes and then experienced the trauma of being taken from the only people and places they have known. While foster care can be a life-saving intervention for some children, removing a child from his or her home is always a traumatic event.

The accumulation of trauma puts children in foster care at a much higher risk of lifelong physical and mental health illnesses, school failure, homelessness, teen parenthood and incarceration than youth who were not in foster care. Mitigating these risks requires a concerted effort by service providers, courts, and communities. Protective factors for youth in foster care include the maintenance of relationships that are important to them, including with their families of origin, extended family (blood-related and other), and home communities. Other protective factors include learning financial literacy, leadership, and life skills. Receiving educational and emotional supports also help tip the balance toward healthy, positive futures for these youth.

SB 2790 ensures that children in foster care will have as many protective factors in place as possible. The state has a federal and state obligation to protect foster children's mental and physical well-being and their spiritual and emotional health. The

state must also protect and promote other aspects of their development, such as education and socialization.

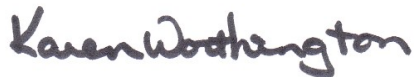
Under current law, the state's duties to children in foster care are characterized as "guiding principles" for the state rather than rights of the children. It is time for Hawai'i to acknowledge that when it assumes the role of parent for maltreated children, those children have a right to the care and protections listed in SB 2790.

My perspective on SB 2790 is informed by my 24 years as a children's law and policy attorney working with child welfare systems and the families they serve. I am certified as a Child Welfare Legal Specialist through the National Association of Counsel for Children. My view of SB 2790 is also informed by my work as chair of the board of EPIC 'Ohana, a non-profit providing crucial services to families involved with child welfare services (CWS), including 'Ohana conferencing, 'Ohana Finding, Youth Circles and 'Ohana Connections. In addition, EPIC 'Ohana facilitates the HI H.O.P.E.S. Initiative, which helps youth successfully transition from foster care to independent adulthood.

SB 2790 will improve the lives of youth in foster care in Hawai'i. It will also bring clarity to the state's role when CWS removes children from their homes to bring them into foster care. I urge you to pass SB 2790 for Hawai'i children.

Please feel free to contact me for additional information. I can be reached at 808-214-9336 or [karen@karenworthington.com](mailto:karen@karenworthington.com).

Sincerely,

A handwritten signature in black ink that reads "Karen Worthington". The signature is written in a cursive, slightly slanted style.

Karen Worthington, JD  
NACC Certified Child Welfare Legal Specialist  
EPIC 'Ohana Board Chair