



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

February 2, 2018

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

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2790 - Relating to Rights of Children in Foster Care**

Hearing: February 5, 2018, 3:45 p.m.  
Conference Room 16, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this administration bill.

**PURPOSE:** The purpose of this bill is 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- , Rights of children in foster care. This aligns with Federal Public Law 113-183 which requires that the rights of children age 14 and older regarding education, health, visitation, and court participation to be documented in the child's case plan, as well as a signed acknowledgement of the provision of these rights.

Similar Bill of Rights for Children in Foster Care have been enacted in 14 states and Puerto Rico. Many of these rights are included as Guiding Principles for Children in Foster Care, in statute, 587A, HRS. Some of the new rights include culturally responsive services, requests for an attorney, and transportation to attend the school of origin.

This administration measure is a collaboration developed with youth formerly in foster care, partners, and stakeholders, and especially honors the voice of the young people we serve. Increased support and guidance for the care of children and youth in foster care will facilitate the young person's continued development, well-being, and permanency options. Positive outcomes, such as an increase in educational achievement and employment stability, will

contribute to the social and economical of the youth as well as the well-being of the State. Studies show that with increased support and guidance children and youth in foster care have additional positive outcomes which include decreases in homelessness, dependency on public welfare benefits, and drug dependency, and incarceration.

Thank you for the opportunity to testify.

**SB-2790**

Submitted on: 2/4/2018 6:52:24 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>
Laurie Tochiki	EPIC Ohana	Support	No

Comments:

Thank you for considering SB2790 Bill of Rights for Foster Children. The HI HOPES leadership has worked tirelessly for three years to bring this matter to the legislature. When the 2014 federal law that requires all young people who are old enough to understand to be given their rights and helped to understand their rights, our board members quickly understood the importance of fully implementing this requirement in Hawaii. Although we do have "guiding principles" in our statute, HI HOPES board members explored the necessity of bringing all of the rights together with language that is clear and current.

In the annual summit of young leaders, the HI HOPES board members discussed what the rights should be, studied the rights of young people in other states, and shared stories about their understanding of their rights. Unfortunately, they also had many stories to share about times that their rights were denied. We heard stories of foster parents (resource caregivers) utilizing methods of corporal punishment that are clearly not allowed as foster parents. We heard stories of young people being taken advantage of by their foster parents as maids and babysitters. We heard stories of social workers not visiting with or even talking with them for months at a time. We heard stories of young people aging out of care without a birth certificate, or state ID, and therefore being unable to get a job.

The HI HOPES board members conducted large workshops and talked with young people currently in care about their rights. Foster youth statewide were asked if they knew about their rights (most did not) and they were asked if their rights had been denied while in foster care (many said there were times when their rights had been denied while in care.)

What followed these discussions was a long process of discussions with stakeholders including Child Welfare Services, the court, the Attorney General's office, and service providers. Including a convening at the First Circuit Family Court. What you have before you is an earnest effort to find language that is clear and that all stakeholders believed they could embrace.

Foster children are taken into care to protect them. When the state of Hawaii takes a child into care, we become, for a time, the child's parents. This is an important responsibility that we collectively take. It is a responsibility we must take seriously. It is

urgently critical that when we take children into foster care to protect them from abuse or neglect by their biological parents, that we protect them while they are in our care.



February 5, 2018

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

From: Mandy Finlay, Director of Public Policy  
Hawaii Children's Action Network

Re: **SB 2790 – Relating to the Rights of Children in Foster Care**  
**Hawaii State Capitol, Room 16, February 5, 2018, 3:45 PM**

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**On behalf of Hawaii Children's Action Network (HCAN), we are writing to support SB 2790 – Relating to the Rights of Children in Foster Care.**

Children and youth in foster care represent one of our State's most vulnerable communities. Entering foster care can be a traumatic experience in which a child has their entire world turned upside-down. This can leave foster children with feelings of uncertainty about when or whether they will see their siblings or friends again, or even whether their new foster family will provide them with food to eat. Additionally, the State has a special legal relationship with foster youth and a duty to ensure that they are protected while in foster care. Establishing the "Rights of Children and Youth in Foster Youth" in statute is necessary to ensure that foster youth are aware of their rights, such as the right to be free from emotional abuse, and know to speak up if these rights are not being respected. SB 2790 would update the existing *Guiding Principles for Children and Youth in Foster Care* by renaming the section and including a more comprehensive list of rights, including rights for LGBTQ youth, clarification around vital documents, reference to case planning and educational stability.

**For these reasons, HCAN respectfully requests the Committee to support this measure.**

*HCAN is committed to building a unified voice advocating for Hawaii's children by improving their safety, health, and education.*

To: Senate Committee on Human Services  
From: Alison Kilpatrick, HI H.O.P.E.S. Youth Leadership Board (KAUAI)  
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 Alison Kilpatrick, I am 16 years old and I am on the HI H.O.P.E.S. Youth Leadership Board on KAUAI. 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 Senate Bill 2790 which promotes the rights of children in foster care.

Young people are placed in foster care and are usually separated from their parents and siblings. I feel like it's an issue for a lot of the foster youth because family is a major complement in a young person's life. SB No. 2790 supports the foster youth's right to have supervised or unsupervised visits with family.

Studies show that strong, positive connection with families and communities are associated with lower levels of unhealthy risk-taking and the development of caring, confident, and competent young person. Only 70% claim that they have family members to help achieve their life goals.

To me this is a problem because some foster families don't allow or like youth visiting their biological families. For me, I have a hard time seeing my family and it's very important to me because family means everything to me and I also have a 9-month old baby brother and another one on the way, and I would like to be part of their lives. Not only are these rights important and important for me to know while in care but the adults need to know so that our rights are honored and we can feel whole and happy in care and have family when we become adults.

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: Aponi Boyer, HI H.O.P.E.S. Youth Leadership Board (MAUI)  
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 Aponi Boyer, I am 17 years old and I am on the HI H.O.P.E.S. Youth Leadership Board on MAUI. 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 stakeholders and advocating for public will and policy changes.

I would like to submit testimony in support of Senate Bill 2790 which promotes the rights of children in foster care.

All youth in foster care deserve to know, advocate, and practice their rights.

Being in foster care, I have been in and out of different homes. I have been worried about moving to new schools, making new friends, and building new social capital. But with the right to attend school and to remain in the child's school of origin that helps foster youth to stay in the same school with friends, counselors, teachers and coaches they know and have social capital with. Living in a different town that is far away from my school, I take the city bus down from where I live to the mall, then walk to school from there. It means a lot to be able to stay in the same school even if it is far.

Just over half of young people with foster care experience graduating high school by the age of 19 compared to 87% if all young people.

The bill of rights protects young people to stay in their school of origin even if they move foster homes and this makes a huge difference with their education and college and employment.

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: Deza-Rae Desa, 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 Deza-Rae Desa. I am the secretary 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.

To have basic necessities and basic rights to all foster youth is critical. To me, this means knowing that there are rights here to protect us, when no one else really can. For example, being told that I'm not allowed to visit my brother because he's at on the West Side of O'ahu and associating that side with being a "bad influence" was hurtful and depressing.

To quote the words of my fellow board member, Noy, she said that, "For children entering foster care, it is a time of loss. Loss of familiarity, family, friends, community, and school. But the greatest loss is of siblings. Separating siblings / severing permanent life-long connections while in foster care inflicts further trauma. About 70% off children in foster care have one sibling and more than half are separated." If I knew that I had a right to see my siblings, I would have advocated with my social worker, GAL and judge to see my siblings and would have been less depressed and happier in care. When I became an adult, I reconnected with them but it would have meant the world to me if that was done while I was in care. It would have helped with my mental and emotional well-being.

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: Ehukai Goias-Medeiros, HI H.O.P.E.S. Youth Leadership Board (KAUAI)  
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 Ehukai Goias-Medeiros, I am 16 years old and I am on the HI H.O.P.E.S. Youth Leadership Board on KAUAI. 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 stakeholders and advocating for public will and policy changes.

I would like to submit testimony in support of Senate Bill 2790 which promotes the rights of children in foster care.

Youth in foster care don't know they have rights, but those who do, don't think it is being enforced and taken seriously by Child Welfare Services.

Noticing more support is needed from social workers to be serious about the Bill of Rights for youth in foster care. Social Workers and other community members should give all kids an equal chance to prove themselves. The only way that would happen is if the social workers include them in their case planning.

Data says that only 26% of youth in foster care say they receive support from Child Welfare professionals. I feel that more youth should receive support from their social workers because they play a huge role in making decisions in the lives of foster youth.

In my experience, I know that I have Rights, but I didn't feel that they were enforced, and I wasn't given the chance to have a monthly meeting with my social workers. I also wasn't given an opportunity to be involved in case planning for my case. Rights are the first step but enforcing these rights so young people are successful and empowered and happy are critical.

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: Elizabeth Rodriguez, HI H.O.P.E.S. Youth Leadership Board (KAUAI)  
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 Elizabeth Rodriguez, I am 19 years old and I am on the HI H.O.P.E.S. Youth Leadership Board on KAUAI. 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 stakeholders and advocating for public will and policy changes.

I would like to submit testimony in support of Senate Bill 2790 which promotes the rights of children in foster care.

Many foster youth don't realize the laws that are available for them. My rights were followed, therefore, I was able to go to school, work, etc. and to me it means I was able to proceed life as a normal teen instead of feeling different because I was in foster care. I was able to work 30 hours a week. I was able to go to the same school even though it isn't in the same district.

The data supporting my statement is 8% achieve a post-secondary degree. Compared to 46% of the general population. Also, 34% reported that they were employed either full- or part-time by the time they were 19.

Because of the adults in my life that knew I had rights and supported my rights, I have a head start on life and lead a pretty normal teenage life, despite being in foster care. I am fortunate compared to so many youth. All youth need rights and adults to enforce those rights so we can be healthy, happy and thrive.

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: Glenn Perreira Jr., HI H.O.P.E.S. Youth Leadership Board (EAST HAWAII)  
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 Glenn Perreira Jr. I am 24 years old and I am the president of the HI H.O.P.E.S. Youth Leadership Board in EAST HAWAII. 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 stakeholders and advocating for public will and policy changes.

I would like to submit testimony in strong support of Senate Bill 2790 which promotes the rights of children in foster care.

I know first-hand that this law will set a strong foundation for the up and coming youth in foster care. I entered the foster care system when I was 15 years old. I attended my mom's court hearing and when she was sentenced to jail time, I found myself completely alone and so I walked across the street in Hilo from the courthouse to Child Welfare Services to turn myself in.

When I entered foster care, my social worker asked me if I had a place/people that could take me in and I identified hanai family and I was allowed to live with them. This made a huge difference in my life because I was cared for and learned how to fix cars and was given money to follow my dreams and goals. Today I am an auto mechanic with a certificate and I support my family this way.

The bill of rights supports foster youth in living in stable and safe homes, having the opportunity to be a part of their case plan, make decisions that affect their lives and the chance to pursue extra-curricular activities, dreams and goals to have a successful life as a young adult.

Young people have a right to go to court and if they knew they could go to court and talk to the judge about their lives and ask for help, they could be empowered and be a part of their decisions and have the chance to thrive. The more young people can be a part of their case, involve their judge and social worker and foster parents and be part of activities that promote social capital, they can follow their dreams and reach their goals.

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: Jade Perreira, HI H.O.P.E.S. Youth Leadership Board (EAST HAWAII)  
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 Jade Perreira. I am 25 years old and I the secretary on the HI H.O.P.E.S. Youth Leadership Board in EAST HAWAII. 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 stakeholders and advocating for public will and policy changes.

I would like to submit testimony in strong support of Senate Bill 2790 which promotes the rights of children in foster care.

Foster youth who come from bigger families are more likely to be placed into separate homes during their time in care. This being the situation for me, visitation with them was the light that kept me sane in a situation that was less than ideal. Allowing visitation for foster youth is essential for a positive transition through care and is a right that would be afforded to our peers who live with their biological families, and should not be denied to youth in the foster care system.

70% of foster youth receive support from their family members to help them achieve their life goals vs. the 26% of youth who claim child welfare service professionals do the same. Your 'ohana are the first line of social capital we encounter in our lives + losing that connection could be detrimental to foster youth not only being not only behaviorally but mentally + social which will show its negative effects well into adulthood.

Keeping foster youth connected to their family members and allowing that positive influence will potentially help to create a person who feels stable and confident in themselves and is able to carry on wholeheartedly and make positive decisions in their lives. Rights to see siblings and family is just one right that is in this bill of rights and it is critical for the health and well-being of foster youth.

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: Kapua Brock-Kuanoni, HI H.O.P.E.S. Youth Leadership Board (WEST HAWAII)  
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 Kapua Brock-Kuanoni, I am 24 years old and I am the vice-president of the HI H.O.P.E.S. Youth Leadership Board in WEST HAWAII. 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 Senate Bill 2790 which promotes the rights of children in foster care.

Many youth in care are unaware of the rights they possess while in foster care. I was fortunate enough to have a social worker who knew about these rights and told me about them. Because of her, I began going to my court hearings where I was able to advocate for myself instead of having a room full of adults speak about, and make decisions for me.

Unfortunately, most social workers today, and even some Guardian ad Litem are unaware of our rights, or they don't promote them. With this bill, it would provide awareness for all that are unaware, and help inform youth of their rights.

In closing, I ask that you support this bill so that foster youth may properly advocate for themselves and have a sense of ownership in their lives and 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: Kekoa Abellera., HI H.O.P.E.S. Youth Leadership Board (EAST HAWAII)  
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 Kekoa Abellera. I am 17 years old and I am the historian of the HI H.O.P.E.S. Youth Leadership Board in EAST HAWAII. 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 stakeholders and advocating for public will and policy changes.

I would like to submit testimony in strong support of Senate Bill 2790 which promotes the rights of children in foster care.

Every child should have the right to “Live in a safe and healthy home free from physical, psychological, sexual, and other abuse.” As a former foster youth, I often believe the main focus is on “physical” abuse. When in reality it may be the least. Being alone and going through the system, foster youth suffer through a lot of mental and emotional abuse. We are not at fault for being in those circumstances, so I feel entitled to a safe house free from all abuse.

“Young adults who experienced foster care as teens are more than twice as likely to have a mental health problem as their non-foster care peers.” Many kids go into the system as teens, which is a crucial time for young adults. From figuring out what they want to do in life, to building important relationships. Going into the system will disrupt your thought process you’ve been building for years. Having rights for foster youth will help them know they should expect to live in a safe home, free from physical and mental/emotional abuse and that they have rights for so many other things that will help them thrive.

I thank you for your time and consideration of my written testimony. We hope that you support SB 2790, let’s move forward with creating more safe foster homes free from all abuse. Thank you very much for your time.



To: Senate Committee on Human Services  
From: Krystal Chavez, HI H.O.P.E.S. Youth Leadership Board (WEST HAWAII)  
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 Krystal Chavez, I am 17 years old and I am a member of the HI H.O.P.E.S. Youth Leadership Board in WEST HAWAII. 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 Senate Bill 2790 which promotes the rights of children in foster care. Many of the youth in foster care are in their prime growing years. They should be able to play sports, get a job or even start driving. After all, good driving habits start when you're young and the world could use a lot more safe drivers. Frankly, many of them are not able to because their legal documents are sadly "unobtainable."

When I was 16, a little over a year ago before I was in care, I had planned my life out. Everything had a "due" date and had to be done right away. All of that was stopped when I was taken into the system, along with my two younger siblings. I could no longer drive, get a job or even open a savings account all because we could not access my documents.

Less than 5% of today's youth currently own a savings account. That is a small percentage of the huge number of youth. More than 43% of foster parents have claimed that their foster child's documents were unobtainable. My family is a part of that 43%. Wouldn't you want your children to be able to have a bright and certain future? I feel it is safe to assume you would give your children the same opportunities.

This bill gives foster youth the right to engage in age-appropriate activities and access to vital documents that will help them with education, housing, transportation and employment so that they can have a head start on a successful life.

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: Lyu Burdette, HI H.O.P.E.S. Youth Leadership Board (MAUI)  
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 Lyu Burdette and I am on the HI H.O.P.E.S. Youth Leadership Board on MAUI. 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 stakeholders and advocating for public will and policy changes.

I would like to submit testimony in support of Senate Bill 2790 which promotes the rights of children in foster care.

All young people in foster care have a right to maintain contact with their siblings / parents. When I was in foster care, I was not allowed to speak to my mother. When I exited out of foster care, 17 year-old my sister was not allowed to maintain contact with me.

In 2013, there were 23,346 young people who aged out of foster care without a permanent legal connection to a parent, family member, or adoptive parent. Young people with supportive adults in their lives are more likely to report being able to cover their expenses and have a savings and less likely to incur debt in adulthood.

By encouraging youth to exercise their rights or not be afraid to speak up when violated or prevented from contacting their family members. Also, those young people should be informed of their rights.

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: Patricia Duh, HI H.O.P.E.S. Youth Leadership Board (KAUAI)  
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 Patricia Duh. I am 22 years old and I am the president of the HI H.O.P.E.S. Youth Leadership Board on KAUAI. 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 2790 which asks to amend the current 587A – Rights of children in foster care to ensure that a child in foster care and resource caregivers understand a foster youth’s rights to the fullest extent possible.

Many young people are not aware of the current bill of rights and even those who are aware of their rights do not fully understand what it means due to the wording being too vague or too complicated. Why are foster youth being asked to sign the current 587A when they may not fully understand what they are signing? Youth in foster care miss out on many opportunities to enhance their personal development due to not fully understanding that they have a right to obtain a job, practice their own religious beliefs, or even have family visitations.

Currently, only 16-25% of 24 year-olds who experiences foster care work consistently. While I was in foster care, I always wanted to obtain a job and gain some work experience. I never had the chance to do this because I was not aware of my rights and was always told no when wanting to do something that I thought would enhance my personal development. Upon exiting foster care, I did not know the necessary skills and had a difficult time in obtaining a job as well. If I was aware of my rights and fully understood them, I would have advocated more for myself and would have gain more knowledge in the employment area. Having the knowledge of fully understanding your rights as a foster youth will allow youth to feel more comfortable in advocating for what they believe is right for themselves.

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: Rachel Burke, HI H.O.P.E.S. Youth Leadership Board (WEST HAWAII)  
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 Rachel Burke. I am the president of the HI H.O.P.E.S. Youth Leadership Board in WEST HAWAII. 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.

For youth in care it is very important for them to know about their rights and how to effectively advocate for themselves. I've witnessed and experienced first-hand too many times where youth were not aware of their rights.

I entered care at the age of 14 and I wanted to know and be a part of everything going on with my case. However, with all of my attempts to be part of my case planning, all I got was, "You're just a kid. You don't know what you want or what is best for you."

Getting to be part of your case planning teaches you about decision-making, which is something you will have to do after you turn 18. I wish I would have been able to be part of where I wanted my life to go and it would have given me more confidence to make healthy decisions after I aged out of foster care.

Our goal is to help youth successfully transition into adulthood. By knowing their rights, and being able to advocate for themselves while in foster care, youth can start practicing making decisions while they have a safety net and a network of support to work towards their goals.

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: Samantha U'u, HI H.O.P.E.S. Youth Leadership Board (MAUI)  
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 Samantha U'u. I am 24 years old and I am the vice-president of the HI H.O.P.E.S. Youth Leadership Board on MAUI. 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.

Young people who experienced foster care have higher rates of physical and mental health issues. We did not ask to be physically and mentally ill due to the limited amount of information to gain opportunities that were crucial to our health and well-being. The majority of young people in foster care experience trauma in some form as a result of maltreatment and foster placement. Between 25 and 60% of youth in foster care have at least one chronic or acute health condition.

When I was 15, my vision was getting worse while I was in care. I had no glasses to help me see better, and I was not able to get annual exams with my eye doctor. It wasn't until I turned 18, and aged out of foster care that I was able to see an eye doctor on my own. If I knew that I had a right to ask my social worker to take me to the eye doctor because I was guaranteed medical exams, it would have made things much easier for me and helpful in school and in my life.

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: Sharla-Ann Fujimoto, HI H.O.P.E.S. Youth Leadership Board (WEST HAWAII)  
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 Sharla-Ann Fujimoto and I am the board advisor for the HI H.O.P.E.S. Youth Leadership Board in WEST HAWAII. I am an employee of EPIC Ohana. 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 have been working with youth in foster care for almost ten years. During this time, I have seen many youth enter and exit the foster care system without the adequate support and resources needed for all young adults to prepare for the challenges they will face in adulthood. Many foster youth are unaware of their rights in foster care, which has led to the severance of their sources of social capital. They are taken from their homes, and told they cannot keep their job, go to the same school, participate in extracurricular activities, or even see their siblings when their siblings are placed in another foster home. A lot of these young adults are unaware that they can have access to their vital documents to get things like a driver's permit and a job.

By passing SB 2790, youth in foster care will gain more information about how they can take an active role in case planning with their social worker, they will be able to learn how to advocate for themselves, but most of all, they will be able to learn the skills necessary to become successful adults.

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: Tiffany Darragh, HI H.O.P.E.S. Youth Leadership Board (MAUI)  
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 Tiffany Darragh, I am 23 years old and I am the president of the HI H.O.P.E.S. Youth Leadership Board on MAUI. 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 Senate Bill 2790 which promotes the rights of children in foster care. When young people are placed into foster care, they sometimes feel lost and confused as to what is happening and feel that their whole life is going to be planned for them from now on. All youth in foster care should be informed of their rights.

I entered care at the age of 13. I was never informed of any of my court hearings. I never met my guardian ad litem until after my first hearing. I felt like my opinion on how my life was going to be was irrelevant. When I heard that my brother and I were going to be placed into legal guardianship with my grandparents, I was happy that I wouldn't have to move homes again. My guardian ad litem asked if I was okay with guardianship but never told me I could go to my hearings. If I would have been given the opportunity to be involved in my case plan and my court hearings, I would have felt more comfortable having someone speak on my behalf in regards to my "Best interest". Currently, there are 23, 346 young people who aged out of foster care without a permanent legal connective to a parent, family member, or adoptive parent. If youth were informed they can go to those hearings that impact their lives, we could impact those numbers dramatically. Having a voice for yourself and your case plan is empowering and so crucial for the youth.

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.



**SB-2790**

Submitted on: 2/4/2018 9:35:56 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>
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

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

From: Brianne Lyn Nagamine

Re: Testimony in Support of S.B. 2790, Relating to the Rights of Children in Foster Care

Hrg: Hawaii State Capitol, Conference Room 16, February 5, 2018, 3:45 PM

Aloha Chair, Vice Chair, & Committee Members,

Thank you for giving me the opportunity to submit testimony in **SUPPORT** of S.B. 2790 which amends the Child Protective Act, chapter 587A, Hawaii Revised Statutes, by replacing section 587A-3 “Guiding Principles for Children in Foster Care” with a new section 587A- “Rights of Children in Foster Care”. Bill of Rights for Foster Youth have been enacted in 15 states in the U.S including Hawaii. However, the state of Hawaii is the only state that refers to it as the “Guiding Principles”. Certain states like California, Florida, and Texas have similar laws in place that are referred to as “Rights” of youth in foster care<sup>1</sup>.

It important to provide specific details within the “Bill of Rights for Foster Youth” that the youth in the foster care system are able to understand clearly. This is why the recommended amendments that were added to the new section of 587A- is necessary. There were few things that were added to the new section which weren’t previously in the old section. I appreciate the line added to part (5) in regards to visitation rights. Which states that “withholding visitation should not be used as a punishment”. As an Alumni of the State of Hawaii’s Foster Care system, I understand how not being able to see or have contact with your loved ones, especially, when it comes to siblings can feel like a punishment. Going forward, I think it’s important that foster youth are informed about the specific reason(s) why visitation was not granted or arranged.

I believe foster youth in the state of Hawaii will benefit greatly, if the recommended updates to the existing statute were made. This is why I strongly ask the committee to pass S.B. 2790.

Thank you again for the opportunity to testify in support of S.B. 2790.

Sincerely,



Brianne Lyn Nagamine

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<sup>1</sup> <http://www.ncsl.org/research/human-services/foster-care-bill-of-rights.aspx>

**SB-2790**

Submitted on: 2/5/2018 10:44:48 AM

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>
Erica Yamauchi	Hawaii Children's Action Network	Support	No

Comments:

I'm writing in strong support of SB2790 in hopes it will empower youth who find themselves in foster care.

When children and youth enter foster care, it is a traumatic and disruptive experience. They are separated from family, their home and almost everything else they've ever known. Young people who have experienced foster care acknowledge how important it is to know that they have rights which protect them from further harm or discrimination in their foster home. They feel it is also critical for them and those responsible to care for them to know they have rights which include staying in the same school, family visitation, meeting with their judge, social worker and attorney, participating in extracurricular activities and having access to vital documents.

Providing foster youth with these rights promotes safety and stability, positive youth development and better long-term outcomes for their futures.

Erica Yamauchi, Hawaii Children's Action Network (Wilhelmina Rise/Kaimuki)