

DAVID Y. IGE
GOVERNOR



EXECUTIVE CHAMBERS
HONOLULU

March 3, 2021

TO: The Honorable Representative Mark M. Nakashima, Chair
House Committee on Judiciary and Hawaiian Affairs

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: **HB 282 HD1 – RELATING TO MINORS**

Hearing: Wednesday, March 3, 2021
VIA VIDEO CONFERENCE
Conference Room 325, State Capitol

POSITION: The Governor's Coordinator on Homelessness appreciates the intent of this measure, offers comments, and defers to the Department of Human Services (DHS).

PURPOSE: The purpose of the bill is to expand circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.

This measure appears intended to increase access to emergency shelter for homeless minors under the age of 18. Increasing access to shelter aligns with the goals of the Hawaii Interagency Council on Homelessness (HICH) ten-year strategic plan, which include a specific focus on improving access to services that address youth development, including strengthening support for homeless minors.

As currently drafted, the bill may not achieve the intent of expanding emergency shelter options. A "provider," as currently defined in 346-17.6, HRS, already coordinates with DHS child welfare services, both in consenting to licensing as a "child placing organization" or "child caring institution," as well as being a mandatory reporter of child abuse and neglect. Based on feedback from service providers, a key barrier to access to emergency shelter for minors is the fear from minors that they will be reported to child welfare services or law enforcement if they enter shelter, as well as the overall lack of immediate beds to offer to this population.

In regard to the shortage of beds, the Coordinator notes recent programs being implemented in Hawaii add new bed capacity and services for homeless minors and youth. Partners in Care – the Continuum of Care (CoC) for Oahu – was recently awarded a three-year \$3.8 million Youth Homelessness Development Program (YHDP) grant to support innovative strategies to address youth homelessness, including the needs of unaccompanied minors. DHS and the Hawaii Department of Education (DOE) currently serve on the YHDP steering committee and are providing feedback regarding the implementation of these funds. The RYSE Youth Access Center, partially funded through the `Ohana Zone program, is also beginning to strengthen the network of youth homeless services on Oahu.

Despite this addition of resources, unaccompanied minors have distinct needs that cannot be safely addressed in a shelter or other program intended for the general adult population. For example, section 346-17, HRS, requires DHS to adopt administrative rules establishing standards for child caring institutions and child placing organizations, including requiring criminal history record checks and child abuse and neglect registry checks. Concerns regarding safety should be addressed as this measure proceeds.

The Coordinator convened a meeting on February 17, 2021 with DHS Child Welfare Services and homeless service providers from Partners in Care and Bridging the Gap to discuss the challenges related to unaccompanied minors and to propose strategies to balance the safety of minors, while also acknowledging the factors that inhibit many minors from consenting to shelter. As this bill moves forward, the Coordinator, DHS, and providers will continue active dialogue regarding this issue.

Thank you for the opportunity to testify on this bill.

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

March 2, 2021

TO: The Honorable Representative Mark M. Nakashima, Chair
House Committee on Judiciary & Hawaiian Affairs

FROM: Cathy Betts, Director

SUBJECT: **HB 282 HD1 – RELATING TO MINORS.**

Hearing: Wednesday, March 3, 2021, 2:00 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, and provides comments. The Committee on Health, Human Services, and Homelessness amended the measure by defecting the effective date and making technical amendments.

PURPOSE: The purpose of this bill is to expand the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services. Effective 7/1/2060. (HD1)

DHS supports these continued efforts to address the needs of minors to have greater access to shelter and the ability to independently consent to shelter services. Safety of Hawaii's minors is a priority, especially during this COVID-19 pandemic. DHS believes clarifying what providers and Child Welfare Services can do is a step towards increasing the safety of children on the street. DHS is committed to working with the Legislature, stakeholders, and the community to better serve unaccompanied minors who are experiencing homelessness.

There is a need for shelter services for unaccompanied minors, including pregnant or parenting minors, whether they are involved with child welfare services or not. DHS supports

broadening the access of minors to shelter services without fear of further system involvement where possible.

Child Welfare Services requires further discussion internally to clarify what the proposed "coordination with child welfare services" could entail or what the best statutory or administrative mechanisms are to make the needed changes. As child welfare services across the country are moving towards a prevention model, CWS needs to consider how prevention services can be used to better support unaccompanied youth, youth experiencing homelessness, and or families struggling with housing instability.

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

PARTNERS IN CARE

Oahu's Continuum of Care

Our mission is to eliminate homelessness through open and inclusive participation and the coordination of integrated responses.

TESTIMONY IN SUPPORT OF HB282, HD2, Relating to Minors Consent to No Cost Shelter

TO: House Committee on Judiciary & Hawaiian Affairs

FROM: Partners In Care (PIC)

Hearing: Wednesday, 3/3/21; 2:00pm; via videoconference

Position: **Support**

Chair Nakamura, Vice Chair Matayoshi and Members of the House Committee Judiciary & Hawaiian Affairs:

Partners In Care, Oahu's Continuum of Care, stands in **Supports the Intent of HB282**, Relating to Minors Consent to No Cost Shelter. Youth experiencing homelessness in Hawaii is a growing issue that needs to be addressed separately from adult and family homelessness. For those adults and families experiencing homelessness, they often have a head of household who is at least 18 and can give legal consent to enter a shelter. For those younger than 18, their options are extremely limited. Programs that provide services to youth are currently not allowed to shelter youth under 18. This puts these youth, who are already very vulnerable, in an impossible situation. Even if they are willing to ask for help, we must close the door on them when it's time to sleep. They are left to fend for themselves on the streets when they need help the most. We have qualified and dedicated providers in our community who currently work with the hundreds of youth throughout the year. They are ready to make sure that those doors are no longer closed to those in need.

DHS and providers have been working together on this issue and will continue to do so in hopes of finding more solutions to those experiencing homelessness. Many youth are hesitant to reach out for help due to the fact that they may be reported to Child Welfare. We need to continue to work on balancing the needs of the youth and the responsibility of the system.

The Youth Homelessness Demonstration Project was awarded to the Oahu CoC in 2019 and addresses many of the needs of youth experiencing homelessness. Allowing these same youth entrance into youth specific shelters will further the assistance that our system can provide to youth in Hawaii.

Thank you for your consideration of this measure. Please do not hesitate to contact us if you have any questions.

Aloha



Residential Youth Services & Empowerment

March 1, 2020

TO: The Honorable Rep. Mark M. Nakashima, Chair
The Honorable Rep. Scot Z. Matayoshi, Vice Chair
Committee on Judiciary and Hawaiian Affairs

FROM: Carla Houser, Executive Director
Residential Youth Services & Empowerment (RYSE)

SUBJECT: HB282, HD1

Hearing: Wednesday, March 3, 2021, 2pm
Videoconference, Conference Room 325

POSITION: RYSE supports the intent of this measure.

RYSE and other stakeholders are continuing dialogue and agree that the intent of this bill is to address the needs of unaccompanied minors experiencing homelessness who are not currently accessing the state's licensed emergency shelters. These vulnerable youth are instead seeking refuge in homeless encampments and other living conditions that put them at risk for exploitation and further trauma.

RYSE and other stakeholders are in agreement that many minors are hesitant to access programs due to concerns about being reported to Child Welfare Services or law enforcement.

We look forward to continuing dialogue with DHS about proactive solutions to licensing and child welfare involvement for these unaccompanied minors experiencing homelessness as this bill moves through the legislative process.

Mahalo for the opportunity to submit testimony.

Sincerely,

Carla J. Houser!

Carla Houser, Executive Director

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

Carole Gruskin, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Friends of the Children's Justice Center of Maui

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

Reduction Center

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

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

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the

Great Northwest and

Hawaiian Islands

Residential Youth Services & Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

March 2, 2021

To: Representative Mark Nakashima, Chair,
And members of the Committee on Judiciary and Hawaiian Affairs

Testimony in Support of HB 282 HD 1 Relating to Minors

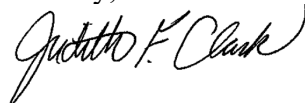
Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports SB 282 Relating to Minors

Enabling minors to consent for admission to an emergency youth shelter ensures that they are able to escape the dangers of living on the streets in those rare situation in which consent from a parent or guardian cannot be obtained.

In some circumstances, notifying parents or guardians of the minor's location could increase risk of harm by family members or guardians. Physical, sexual and emotional abuse committed by a family member or guardian is often the reason why the minor is seeking a safe shelter. Adding provider coordination with Child Welfare Services as a reason to allow minor consent for shelter will increase the safety of these vulnerable youth.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director

TESTIMONY IN SUPPORT OF HB 282, HD 1

TO: Senate Committee on Judiciary & Hawaiian Affairs

FROM: Nikos Leverenz
Grants, Development & Policy Manager

DATE: March 3, 2021 (2:00 PM)

Chair Nakashima, Vice-Chair Matayoshi, and Members of the Committee:

Hawai'i Health & Harm Reduction Center (HHRC) **supports** HB 282, HD1, which would expand the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.

HHRC is member of Partners in Care (PIC), a coalition of more than sixty non-profit homeless providers and allied organizations.

We share PIC's concerns about the limited options faced by youth experiencing homelessness. As PIC notes, there are providers who coordinate with child welfare services to help ensure that these youth do not have to spend the night unsheltered.

HHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals who are impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those relating to substance use and underlying mental health conditions. Many of our clients and participants have been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse.

Thank you for the opportunity to testify on this measure.



CATHOLIC CHARITIES HAWAII

TESTIMONY IN SUPPORT OF HB 282, HD1: RELATNG TO MINORS

TO: House Committee on Judiciary & Hawaiian Affairs

FROM: Rob Van Tassell, President and CEO, Catholic Charities Hawai'i

Hearing: **Wednesday, 3/3/21; 2:00 pm; via videoconference**

Chair Nakashima, Vice Chair Matayoshi, and Members, Committee on Judiciary & Hawaiian Affairs:

Thank you for the opportunity to provide testimony to support the intent of HB 282, HD1, which expands the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services. I am Rob Van Tassell, 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 70 years. CCH has programs serving elders, children, families, homeless, and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i.

Catholic Charities Hawai'i supports the intent of this bill. We need to find solutions to safely serve minors who are living on the streets. The *2018 Street Youth Survey* paints a grim picture of the vulnerability of minors living on the streets of Oahu. The average when they became homeless was just 14 years old. Almost 60% were homeless for a year or more. These unaccompanied minors faced high rates of violence, sexual assault and sexual exploitation. These minors live a dangerous existence where 58% have tried to kill themselves while others were forced to perform "survival sex". 38% had been beaten or physically attacked while homeless. The study found that these minors are still developing as young adults and need support until they are able to care for themselves.

We are encouraged that the Department of Human Services (DHS) and providers are continuing dialogue. All agree that the intent is to address the significant needs of minors who may currently not be accessing emergency shelter. All also agree that many minors are hesitant to access programs since they are concerned about being reported to the Child Welfare system or law enforcement. There is a need to balance the safety of these minors with their concerns. We look forward to proactive solutions as this bill moves through the legislative process.

We appreciate the intent of this bill and your focus on minors living on the streets who are at high risk for abuse, physical attacks, exploitation and mental illness.

Please contact our Legislative Liaison, Betty Lou Larson at (808) 373-0356 or bettylou.larson@catholiccharitieshawaii.org if you have any questions.



House Committee on Judiciary & Hawaiian Affairs

Representative Mark M. Nakashima, Chair

Representative Scot Z. Matayoshi, Vice Chair

RE: Support for House Bill 282 HD1

Wednesday, March 3, 2021, 2:00PM in conference room 325

Aloha Chair Nakashima, Vice Chair Matayoshi and Committee members:

Thank you for the opportunity to provide testimony in support of House Bill 282 HD1, which expands the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.

For the past 5 years that I have been residing on O‘ahu, there has evidently been an essential need to address the issue of homeless unaccompanied minors. Studies have shown that the average unaccompanied minor experiences homelessness at the age of 14. Additionally, more than half of homeless minors have experienced mental, physical and sexual abuse by their caregiver.

Seeing that there is currently only one homeless shelter service that serves unaccompanied minors in Hawai‘i, I believe we should work together and expand the opportunities to homeless minors, allowing them to better access shelters and the power to independently consent shelters and related services. By passing House Bill 282 HD1, this would be an important step towards creating a safe space for many homeless minors, further expanding the access to urgent assistance for homeless unaccompanied minors.

Thank you again for your consideration on this measure.

Amalia L. Pangelinan
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