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STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
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March 22, 2021

TO: The Honorable Senator Joy San Buenaventura, Chair
Senate Committee on Human Services

FROM: Cathy Betts, Director

SUBJECT: **SCR27/SR16 - REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN COORDINATION WITH THE DEPARTMENT OF HEALTH, TO COLLECT DATA ON LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER OR QUESTIONING, PANSEXUAL, ASEXUAL, GENDER NON-CONFORMING, AND INTERSEX YOUTH WHO ARE UNDER THE SUPERVISION OF THE COURTS AND THE HAWAII YOUTH CORRECTIONAL FACILITY.**

Hearing: March 23, 2021, 3:10 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services appreciates the intent of these resolutions and provide comments.

PURPOSE: The purpose of these resolutions requests the department of human services, in coordination with the department of health, to collect data on lesbian, gay, bisexual, transgender, queer or questioning, pansexual, asexual, gender non-conforming, and intersex youth who are under the supervision of the courts and the Hawaii Youth Correctional Facility.

DHS will work with the Department of Health, the Hawaii Youth Correctional Facility, and constituents to determine the best approach to begin collecting the requested data while respecting the minors' and youths' right to privacy.

However, to do this and other needed work for Hawaii's youth, DHS, the Office of Youth Services, and the Hawaii Youth Correctional Facility must be funded appropriately with staff

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and programmatic resources to work towards new and innovative programming as well as to maintain existing services. The Department cannot continue to sustain dramatic reductions in funding and staff and address the existing and growing needs of Hawaii's residents.

Thank you for the opportunity to provide testimony on these resolutions.

SCR27/SR16

REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN COORDINATION WITH THE DEPARTMENT OF HEALTH, TO COLLECT DATA ON LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER OR QUESTIONING, PANSEXUAL, ASEXUAL, GENDER NON-CONFORMING, AND INTERSEX YOUTH WHO ARE UNDER THE SUPERVISION OF THE COURTS AND THE HAWAII YOUTH CORRECTIONAL FACILITY

Ke Kōmike ‘Aha Kenekoa o ka Lawelawe Kānaka
Senate Committee on Human Services

Malaki 23, 2021

3:10 p.m.

Lumi 225

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SCR27/SR16, which requests the Department of Human Services, in coordination with the Department of Health, to collect data on lesbian, gay, bisexual, transgender, queer or questioning, pansexual, asexual, gender nonconforming or intersex (LGBTQIA+) youth who are under the supervision of the courts or the Kawaiiloa Youth and Family Wellness Center (formerly known as Hawai‘i Youth Correctional Facility). **SCR27/SR16 offers an opportunity to collect data that can improve policymaking decisions to address the current disparate experiences of vulnerable LGBTQ youth in Hawai‘i.**

Lesbian, Gay, Bisexual, and Transgender (“LGBT”) people have deep roots in traditional Hawaiian society, and remain a significant but often unacknowledged part of Hawai‘i’s community today. Hawaiian culture has a rich history of gender diversity and acceptance of those who would now be considered lesbian, gay, bisexual, transgender, or gender non-conforming. In pre-colonial Hawaiian culture and society, aikāne and mähū were even revered and maintained special roles in society and in certain cultural practices.¹

Unfortunately, our community today does not meaningfully acknowledge and accommodate our lesbian, gay, bisexual, transgender, and gender non-conforming communities, resulting in various forms of systemic and invidious discrimination not reflective of Hawai‘i’s cultural history and traditional values, and that may have a particularly significant impact on Native Hawaiians who are highly represented among our LGBTQ youth. Currently, over 1 in 10 public high school students in the state identify as LGBQ (including youth who are “questioning” their sexuality), with 22% of these youth being Native Hawaiian.² Three percent of Hawai‘i’s high-school-aged youth identify as transgender, with 25% of these youth being Native

¹ See, e.g., NOENOE SILVA, ALOHA BETRAYED: NATIVE HAWAIIAN RESISTANCE TO AMERICAN COLONIALISM (2004); Lilikalā Kame‘eleihiwa, *Le‘ale‘a o na Kupuna: Traditional Hawaiian Sexuality*, Ke Ola Mamo Conference (1999); Keith Bettinger, *Historically Speaking: A quick look at homosexuality and gender roles in pre-contact Hawai‘i*, HONOLULU WEEKLY (Jun. 20-26, 2007).

² HAWAII STATE DEPARTMENT OF HEALTH, HAWAII SEXUAL & GENDER MINORITY HEALTH REPORT 2017 14 (2017), available at <https://health.hawaii.gov/surveillance/files/2017/05/HawaiiSexualandGenderMinorityHealthReport.pdf>.

Hawaiian.³ Hawai'i's LGBTQ youth suffer from poor access to healthcare and health outcomes,⁴ high incidence of substance abuse,⁵ high incidence of sexual and emotional abuse by a partner,⁶ bullying in schools and poor educational outcomes,⁷ and poor mental health with high rates of self-harm and suicidal ideation.⁸ Also, despite a notable presence in Hawai'i, nearly half of all transgender youth live in unstable housing situations compared to only six percent of cisgender youth.⁹ All of these minority stress factors may lead to LGBTQIA+ youth involvement with the courts and correctional system.

By establishing LGBTQIA+ data collection practices in the juvenile justice system, this measure would help to inform the State's policymaking and programming with respect to our LGBTQIA+ community, and better ensure that policies and programs can address the unique needs of our most vulnerable LGBTQIA+ youth. Notably, the exclusion of LGBTQIA+ people from consideration or recognition in government policies and programs may not only perpetuate such adversities, but may also limit our society from realizing and benefiting from its members' true and full potential. Accordingly, this measure would take an important first step toward better supporting this segment of our community and improving their lives, and benefit our society as a whole.

Accordingly, OHA urges the Committee to **PASS** SCR27/SR16. Mahalo piha for the opportunity to testify on this measure.

³ HAWAII STATE DEPARTMENT OF HEALTH, HAWAII SEXUAL AND GENDER MINORITY HEALTH REPORT 2018: A FOCUS ON TRANSGENDER YOUTH, 24 (2018) available at <https://health.hawaii.gov/surveillance/files/2018/09/HawaiiSexualandGenderMinorityHealthReport2018.pdf>. Over 3% of adults in Hawai'i also identify as LGB, with approximately 18% of the adult LGB population being Native Hawaiian. *Id.* at 26. Moreover, Hawai'i has the highest proportion of its population composed of transgender adults among the 50 states. WILLIAMS INSTITUTE, HOW MANY ADULTS IDENTIFY AS TRANSGENDER IN THE UNITED STATES? 3 (2016).

⁴ *Supra* note 2 at 15-16.

⁵ *Id.* at 18.

⁶ *Id.* at 20.

⁷ *Id.* at 20 & 25.

⁸ *Id.* at 22.

⁹ *Id.*

SR-16

Submitted on: 3/21/2021 2:54:19 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Testifying for Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

Planned Parenthood Votes Northwest and Hawaii supports SR 16. Thank you!

SR-16

Submitted on: 3/20/2021 10:36:29 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Aloha HMS Committee,

As a public health professional and concerned community member, I urge you to **pass SR16 without amendments.**

The 2017 and 2018 [Hawai'i Department of Health's Sexual and Gender Minority Reports](#) showed that a disproportionate amount of our LGBTQ youth show significant risk factors for incarceration. National studies and [reports](#) show that LGBTQ youth are often unjustly criminalized. This measure will help ensure our LGBTQ youth are counted, so they can be best served.

I personally collaborate with many local LGBTQIA+ community members and agencies, who have contributed to the development of this measure in its current form. **Please pass this resolution as it is.**

With aloha,

Thaddeus Pham (he/him)

SR-16

Submitted on: 3/22/2021 9:59:45 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Michal Hamid	Individual	Support	No

Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR27/SR16. The 2017 and 2018 [Hawai'i Department of Health's Sexual and Gender Minority Reports](#) showed that a disproportionate amount of our LGBTQ youth show significant risk factors for incarceration. National studies and [reports](#) show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

Sarah Michal Hamid

SR-16

Submitted on: 3/22/2021 10:16:27 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Hamid	Testifying for AF3IRM Hawai'i	Support	No

Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR27/SR16. The 2017 and 2018 [Hawai'i Department of Health's Sexual and Gender Minority Reports](#) showed that a disproportionate amount of our LGBTQ youth show significant risk factors for incarceration. National studies and [reports](#) show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

AF3IRM Hawai'i