

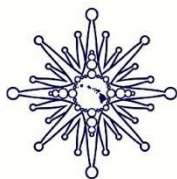
From: [Nonohe Botelho](#)
To: [Standards of Conduct](#)
Subject: Standards of Conduct Committee
Date: Monday, August 15, 2022 12:49:53 PM
Attachments: [NBlettertoSpeaker.docx](#)

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Attached is my letter to the Standards of Conduct Committee. Please include for hearing on Wednesday, August 17, 2022.

Mahalo,
Nonohe Botelho
Hawaii Coalition for Child Protective Reform

Sent from [Mail](#) for Windows



HAWAII COALITION
FOR
CHILD PROTECTIVE REFORM

Date: August 15, 2022

Dear House Committee on Standards of Conduct,

I am writing regarding Ariel Sellers. Sadly, we are coming up on the one-year memorial since her heinous and devastating death. No parent or family should have to endure the traumatic death and aftermath of a murdered child. Ariel's large extended Ohana, friend's and the entire Waimanalo and Windward Community joined in for weeks of searching. It's almost been a year and the family still have no answers from the Department of Human Services (DHS) or Child Welfare Services (CWS). Why has the legislators not entertained the idea of a formal inquiry of the death of Ariel Sellers for the purpose of accountability and public disclosure by DHS/CWS?

As an elected official in the State of Hawaii, I request that you move to have DHS/CWS be put under **legislative oversight**. You have the ability and the mechanism to do so. The *National Conference of State Legislators (NCSL)*, states that, 'although legislative oversight can take several forms, the fundamental intent is to provide checks and balances by providing continuous review of the work of state agencies in their subject area.' They further state that:

"The development of program evaluations capabilities was a key component in the evolution of the modern state legislature, and most program evaluation offices have been in operation for more than 25 years. A performance audit or evaluation is a comprehensive examination of an organization, program or activity conducted by an independent evaluator to assess efficient use of resources or effectiveness. Legislative program evaluation helps legislatures to ensure that the programs they establish, and fund are operating efficiently, effectively, and economically."
(*Separation of Powers: Legislative Oversight*, <https://www.ncsl.org/>)

At this critical time, it is imperative to look further into to the policies and procedures that may have contributed to the death of Ariel. As you are aware, every government agency in the State of Hawaii has been under heavy scrutiny for public corruption. Why should DHS/CWS be exempt?

In addition, I followed several Bills in 2022. These Bills were introduced to the Human Services (HMS), Health (HHH), Judiciary (JHA) and (JDC) committees. All Bills aimed at DHS/CWS were killed or deferred. There are several issues that I want to bring to your attention.

First, **ALL BILLS, UNLESS DUPLICATIVE, NEED TO BE HEARD**. There is no justification for the unilateral power of committee Chairs to kill a bill. It seems to me that the same Chairs continue to decline hearings

for Bills aimed at reforming DHS/CWS. The same Chairs have also deferred Bills that would have addressed Murdered Children (SB2027) and Victims' Rights (3034).

Secondly, in 2022, SB2416 aimed to prevent illegal child removals, that currently violates the Fourth Amendment of the Constitution, died in the HMS without a public hearing. HB2295 that would have addressed parental rights was declined a public hearing. HB1933 passed the approval of the HHH committee, then was deferred by the JHA with no explanation. In addition, SB2027, related to Murdered Children, passed the crossover but died in the JHA. Currently the First-Degree Murder law is unconstitutional under the Fourteenth Constitutional Amendment in that it does not include "**any human being or any persons,**" but limits the law to include specific groups of people. Legislators have continued to "recognize a hole" in the law but has refused to pass this important legislation.

In closing, it is my humble observation that the health and safety of our Keiki is at risk. The lack of legislative oversight of DHS/CWS *together* with the unilateral power of committee Chairs to kill Bills (that would address these problems), is a recipe for disaster and set up to fail. We need TRANSPARENCY NOW! Transparency lets the sun in, and sunshine is always good for children.

Thank you for your time and consideration. Feel free to contact me via email, I would appreciate your feedback. Also, I urge the Legislature to maintain the Zoom feature for public hearings to allow inter-island and working citizens to participate in the legislative process.

Mahalo,

Nonohe Botelho, MSCP
Independent Consultant/Victim Advocate
Hawaii Coalition for Child Protective Reform