

DAVID Y. IGE
GOVERNOR



EXECUTIVE CHAMBERS
HONOLULU

February 4, 2021

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

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

SUBJECT: **SB22 – RELATING TO MINORS**

Hearing: Thursday, February 4, 2021, 3:00 p.m.
VIA VIDEO CONFERENCE
Conference Room 225, 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.

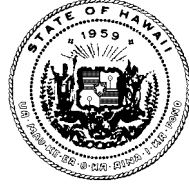
In regard to the shortage of beds, the Coordinator notes recent programs being implemented in Hawaii add new bed capacity and services for homeless minors and youth. Partners in Care – the Continuum of Care (CoC) for Oahu – was recently awarded a three-year \$3.8 million Youth Homelessness Development 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.

If this bill moves forward, the Coordinator suggests seeking feedback from youth homeless service providers and other stakeholders on how to balance the safety of minors, while also acknowledging the factors that inhibit many minors from consenting to shelter.

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

LATE

February 3, 2021

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

FROM: Cathy Betts, Director

SUBJECT: **SB 0022 – RELATING TO MINORS.**

Hearing: Thursday, February 4, 2021, 3:05 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, provides comments, and suggests 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.

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 is interested in working with the Legislature, stakeholders, and the community to better serve unaccompanied minors who are experiencing homelessness.

DHS continues to recognize the 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. DHS believes this bill is a step toward increasing the safety of children on the street.

DHS, however, suggests the following technical amendments at page 2, line 10 by changing “or” to “and” to read:

- (3) The minor has refused to provide contact information for the minor’s parent, legal guardian, or legal custodian, and the provider reasonably believes that the minor would incur harm, or would be subject to threatened harm, if the minor returned immediately to the home of the parent, legal guardian, or legal custodian[+], and
- (4) The provider is coordinating with child welfare services.

If the language is not amended there would not be a mechanism for child welfare services to become involved with a youth unless the provider reports suspected child abuse or neglect to DHS.

Homeless youth are at significant risk for trafficking and other forms of exploitation and violence. By changing the “or” to an “and” this would provide each child that consents to no cost emergency shelter and related services, access to services through child welfare services, and DHS will have the opportunity to provide oversight of children that may be identified to being at risk of abuse and/or neglect.

Thank you for the opportunity to testify.

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

February 2, 2021

To: Senator Joy San Buenaventura
And members of the Committee on Human Services

Testimony in Support of SB 22 Relating to Minors

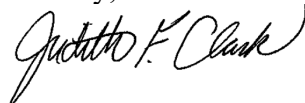
Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports SB 22 Relating to Minors

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



February 2, 2021

To: The Honorable Senator Joy A San Buenaventura, Chair
Committee on Human Services

The Honorable Senator Les Ihara Jr, Vice Chair
Committee on Human Services

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

Subject: SB 22 Relating to Minors Consent to No Cost Shelter

Hearing: Thursday, February 4, 2021
Conference Room 225

Position: RYSE strongly supports this measure.

No youth in Hawaii should be alone and without shelter. No youth in Hawaii should be forced to exchange sex for a place to stay. Yet homeless youth service providers continue to encounter hundreds of vulnerable youth each year living on our streets. The 2018 UH Center on Family *Street Youth Survey* found that the average age a young person first experiences homelessness on Oahu is 14 years old. Over 77% of these youth had experienced physical, mental and sexual abuse at the hands of adults who were supposed to protect them.

Most of the youth we encounter say they feel safer on the streets than in their own homes. These youth have been kicked out their homes for being LGBTQ+. They are struggling with substance use and mental health disorders. There is no therapeutic response for these youth in an encampment or at a beach park.

This bill is the first step in creating a mechanism to shelter these unaccompanied minors, giving them safe respite from the streets and time to make choices that improve their current situation with the appropriate safeguards and staffing in place.

Mahalo for the opportunity to testify.

Sincerely,

Carla Houser, MSW
Executive Director



To: Senate Committee on Human Services

Hearing Date/Time: Thursday, February 4, 2021 at 3:05 pm

Re: Testimony in Strong Support of SB22

From: Heather Lusk, Hawaii Health and Harm Reduction Center

Dear Chair San Buenaventura, Vice Chair Ihara and members of the committee:

The Hawaii Health & Harm Reduction Center (HHHRC) strongly supports SB22 which would include coordinating with child welfare services to the statute for providers working with minor who consents to emergency shelter.

HHHRC is part of the new Youth Homeless Demonstration Project which funds unaccompanied minors and youth (18-24) services which include outreach, case management and crisis response. We believe that providers who work with minors in a shelter context should work with CWS to ensure the most coordinated and comprehensive services possible. HHHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities.

Thank you for the opportunity to testify.



February 3, 2021

Senate's Committee on Human Services
Hawai'i State Capitol
415 South Beretania Street, Room 225
Honolulu, HI 96813

RE: Senate Bill 22 - RELATING TO MINORS

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

I am writing in SUPPORT for Senate Bill 22 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization. SB 22 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.

There is currently only one full service shelter in the entire state for homeless unaccompanied minors. It is RYSE (Residential Youth Services and Empowerment) located on the Windward side of O'ahu and RYSE serves 18 – 24 years old and they have 30 beds, 20 male & 10 female.

Hawai'i needs to be expand circumstances in which a minor can consent to entering a no-cost shelter and have the Department of Human Services work to make sure we have such shelters for unaccompanied minors on every island across the state.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.
Chair
LGBT Caucus of the Democratic Party of Hawai'i

SB-22

Submitted on: 2/2/2021 11:41:26 AM

Testimony for HMS on 2/4/2021 3:05:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lauralee Baoy	Individual	Support	No

Comments:

I support SB 22 giving minors the ability to choose, agree and consent to shelter services. I believe that this could be helpful in cases where the minor is in a dangerous home environment or when a legal guardian or parent is unable to be reached in a timely manner and the best interest of the youth is in question. I support SB 22 and all that it can do to help expedite shelter services for youth.

Testimony of
SYLVIA LEE, MSW STUDENT

Before the
Senate Committee on Human Services

Thursday, February 4, 2021

3:05 pm

VIA VIDEOCONFERENCE

Conference Room 325

State Capitol

415 South Beretania Street

In Consideration of
Senate Bill 22
RELATING TO MINORS

Chair Joy A. San Buenaventura, Vice Chair Les Ihara Jr., Members of the Senate Committee on Human Services, thank you for the opportunity to provide testimony concerning Senate Bill (SB) 22, relating to minors.

My name is Sylvia Lee, and I am currently a graduate student at the University of Hawaii at Manoa, Thompson School of Social Work and Public Health. SB 22 proposes 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. **I am testifying to support the enactment of SB 22.**

All youth, whether they are living away from guardians or within our care, are deserving of our support for their healthy development and growth. Often hidden and underserved, unaccompanied youth constitute as one of our most vulnerable populations in our society. According to a study conducted by the Journal of Adolescent Health, research confirms that many homeless or unaccompanied youth indicate that they are unable or unwilling to seek services due to the need for parental consent or for their involvement in the child welfare system. As many homeless and unaccompanied youth suffer from mental health disabilities and face unique challenges due to their limited resources and power, it is important that we eliminate any barriers that prevent them from accessing services that are imperative for their safety. Without intervention or access to proper services, this vulnerable population is at high-risk for victimization. Therefore, I support the amendment for SB 22 to include providers that are coordinating with child welfare services.

Thank you very much for this opportunity and for your dedicated support.

Sylvia Lee

sylviam@hawaii.edu

SB-22

Submitted on: 2/3/2021 4:07:34 PM

Testimony for HMS on 2/4/2021 3:05:00 PM



Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Oppose	No

Comments:

Wrong execution of a well-intentioned idea; way too broad to be passed as-is and looks like an invite to future lawsuits.