

NEIL ABERCROMBIE
GOVERNOR



PATRICIA McMANAMAN
DIRECTOR

PANKAJ BHANOT
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809

March 22, 2011

TO: The Honorable Gilbert S.C. Keith-Agaran Chair
House Committee on Judiciary

FROM: Patricia McManaman, Director

SUBJECT: **SB 921, S.D.2, H.D. 1 - RELATING TO MINORS**

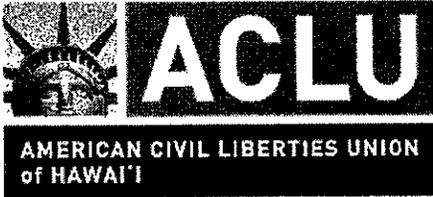
Hearing: Tuesday, March 22, 2011; 2:00 p.m.
Conference Room 325, State Capitol

PURPOSE: The purpose of S.B. 921, S.D.2, H.D.1, is to allow a provider to provide emergency shelter and related services to a minor under certain circumstances.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill and appreciates the House Human Services Committee's revisions in the H.D. 1 of this bill that address the Department's previous cost and programmatic concerns on this bill.

DHS believes that the current H.D. 1 of this bill will help to ensure the provision of appropriate emergency shelter and related services for youth and will assist with implementation of the bill's intent.

Thank you for the opportunity to testify.



Committee: Committee on Judiciary
Hearing Date/Time: Tuesday, March 22, 2011, 2:00 p.m.
Place: Conference Room 325
Re: Testimony of the ACLU of Hawaii in Support of S.B. 921, SD2, HD1
Relating to Minors

Dear Chair Keith-Agaran and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support of S.B. 921, SD2, HD1, Relating to Minors, which will allow a child services provider authorized by the Department of Human Services to provide emergency shelter and related services to a minor under certain circumstances.

This bill recognizes that many youth needing emergency shelter simply cannot obtain parental consent and should not be required to have it. Children are entitled to similar rights and social benefits as other citizens and should not be denied necessary services and forced onto the streets. By removing potential civil or criminal liability for shelters that are otherwise able to satisfy the emergency needs of runaway or abandoned youth, this bill will provide much needed support to shelters, and, most importantly, to the children who will finally be able to access the help that they need.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 45 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple
Staff Attorney
ACLU of Hawaii

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawaii 96801
T: 808.522-5900
F: 808.522-5909
E: office@acluhawaii.org
www.acluhawaii.org

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

Phone: (808) 531-2198 Fax: (808) 534-1199

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Alan Shinn, President

Judith F. Clark, Executive Director

Adolescent Services Program, Kaiser
Permanente Medical Care System

Aloha House

American Civil Liberties Union of Hawaii

Assistive Technology Resource Ctrs. of HI

Bay Clinic, Inc.

Big Brothers Big Sisters of Honolulu

Big Island Substance Abuse Council

Blueprint for Change

Bobby Benson Center

Catholic Charities Hawaii

Central Oahu Youth Services Assn.

Child and Family Service

Coalition for a Drug Free Hawaii

College Connections

Community Assistance Center

Domestic Violence Action Center

EPIC, Inc.

Family Support Services of West Hawaii

Friends of the Missing Child Center of HI

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Behavioral Health

Hawaii Student Television

Healthy Mothers Healthy Babies Coalition

Hina Mauka Teen Care

Hui Malama Learning Center

Kahi Mohala Behavioral Health

Kama'aina Kids, Inc.

KEY (Kualoa-Heeia Ecumenical Youth)
Project

Kids Behavioral Health

Kids Hurt Too

Kokua Kalihi Valley

Kula No Na Poe Hawaii

Lanai Community Health Center

Life Foundation

Marimed Foundation

The Maui Farm, Inc.

Maui Youth and Family Services

Palama Settlement

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

Parents and Children Together (PACT)

Planned Parenthood of Hawaii

Queen Liliuokalani Children's Center
Kona Unit

REAL

Salvation Army Family Intervention Svcs.

Salvation Army Family Treatment Svcs.

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

The Children's Alliance of Hawaii

Waikiki Health Center

Women Helping Women

YouthVision

YWCA of Kauai

March 18, 2011

To: Representative Gilbert Keith-Agaran, Chair
And members of the Committee on Judiciary

TESTIMONY IN SUPPORT OF SB 921 SD2 HD1 RELATING TO MINORS

Hawaii Youth Services Network (HYSN), a statewide coalition of more than 50 youth-serving organizations, strongly supports SB 921 SD2 HD1 Relating to Minors with the amendments described below.

HYSN supports the amendments added in HD1 with the following changes:

Page 1, lines 5-6: A comma is needed on line 6 after "including transportation services." As written, the 30 day limit applies only to transportation services.

Page 6, lines 7-8 Revise the definition of "shelter and related services" to read, "Emergency shelter and related services' **means** short-term residential care on an emergency basis **for up to 30 days** that **may** include . . . "

Page 6, line 16 The term "aftercare" is a term specific to the field of residential services and may not be fully understood by those in other professions. Please consider adding a definition of "aftercare," such as the following:

AFTERCARE SERVICES - The provision of services to runaway or otherwise homeless youth and their families following the youth's return home or the youth's placement in alternative living arrangements, which assist in alleviating the problems that contributed to his or her running away or being homeless. (45 CFR 1351.1)

Page 4, lines 7 – 19 and page 5 lines 8-19 appear redundant as both address liability for the shelter provider. We recommend combining the two sections into one, but will leave it to the Legislature to determine the most appropriate wording.

HYSN would also fully support the version of this bill that is contained in HB 684 HD2.

HYSN page 2

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH
Executive Director



1350 S. King Street • Suite 309 • Honolulu, Hawaii 96814 • www.pphi.org • Phone: 808-589-1156 • Fax: 808-589-1404

March 21, 2011

To: Chair Gilbert Keith-Agaran, Vice Chair Karl Rhoads and Members of the House Committee on Judiciary
From: Katie Reardon, Director of Government Relations & Public Affairs, Planned Parenthood of Hawaii
Re: **Testimony in Support of SB 921 SD2 HD1**

Planned Parenthood of Hawaii (PPHI) supports SB 921 SD2 HD1, which allows minors to provide informed consent to enter emergency shelters and access services. This bill fills a gap in the safety net needed to care for Hawaii's young people by allowing providers to seamlessly refer youth in need to shelter and related services.

Young people become homeless for a variety of reasons. According to the National Runaway Switchboard, the most common reason for young people wanting to runaway or actually leaving home, reported in 26% of cases, was conflict at home.¹ Too often parental or guardian consent is unable to be obtained because a parent is unreachable or unwilling to consent, or reaching out jeopardizes the child's safety and wellbeing. Helping service providers care for the emergency need of young people, including referrals and transport to emergency shelters, greatly improves their ability to provide efficient and effective care.

In the past, the State of Hawaii has recognized the need to protect the health and well being of young people and has passed laws allowing them to receive basic health care² and family planning and sexual health care³ without the consent of a parent or guardian. Passing SB 921 SD2 HD1 is a logical step forward towards ensuring that Hawaii's youth population receives the care and services needed to stay safe and go on to build productive and healthy lives. Therefore, PPHI asks this committee to pass SB 921 SD2 HD1.

¹ See [Why the Run: An In-depth Look at America's Runaway Youth](http://www.nrscrisisline.org/media/whytheyrun/report.html), National Runaway Switchboard, May 2010,
<http://www.nrscrisisline.org/media/whytheyrun/report.html>

² See Hawaii Revised Statutes Ch. 577D

³ See Hawaii Revised Statutes Ch. 577A

Honolulu Health Center
1350 S. King Street, Suite 310
Honolulu, HI 96814
808-589-1149

Kailua Kona Health Center
75-184 Hualalai Road, Suite 205
Kailua Kona, HI 96740
808-329-8211

Kahului (Maui) Health Center
140 Ho'ohana Street, Suite 303
Kahului, HI 96732
808-871-1176
(A Maui United Way Agency)



March 13, 2011

Representative Gilbert S.C. Keith-Agaran
House of Representatives Judiciary Committee
Hawaii State Legislature
415 South Beretania Street Honolulu HI, 96813

Re: Support for Senate Bill 921, Minor Consent for Emergency Shelter and Related Services

Dear Mr. Chair & Members of the Committee,

Thank you for the opportunity to present testimony in support of Bill 921. My name is Alex J. Logan and I am the Director of Philanthropic Development for Kids Hurt Too and the Associate Director for the Hawaii Foster Youth Coalition as well as a former foster youth from the State of Hawaii.

Young people hold the future of our social and global progress in their hands and therefore need the utmost support and protection from those of us responsible for their upbringing. We can all agree that a young person's development is fostered through providing them with consistency, love and security; additionally all youth have the ability to make decisions on their own and feel empowered when authority figures grant them the ability to do so.

The adoption of this bill into law would significantly support this positive youth development model by allowing young people to have the ability and right to gain safe haven upon their choice. Giving a young person the resource to seek safety from refuge without the need for authorities to become immediately involved would benefit child welfare and protection throughout the state by increasing the efficiency of operations for the Department of Human Services. Empowering young people to make the decision on their own would also support their feeling of independence that proves to be more and more important as we further our knowledge of youth development and engagement. This bill requires no financial expenditure from the state's budget and during a time of financial vigilance for our state a bill such as this one proves systematically effective and financially appropriate. Most importantly this bill guarantees safety for all youth within our state enabling any displaced youth a roof over their head and a warm meal at the end of every day based upon the available occupancy of the service provider's emergency shelter.

I strongly support this bill for the benefit our Hawaii's youth and the efficiency of our child welfare system.

Alex J. Logan
Associate Director & Director of Philanthropic Development
Cell: (808) 430-5551