HOUSE RESOLUTION

REQUESTING THE HAWAII STATE JUDICIARY AND DEPARTMENT OF HUMAN SERVICES TO NOT USE BLINDNESS AS A BASIS FOR DENYING PARENTAL RIGHTS.

WHEREAS, blind individuals face certain preconceived biases and attitudes in family and dependency law proceedings where custody and visitation are at stake and in public and private adoption, guardianship, and foster care proceedings; and

WHEREAS, nationally some children of blind parents are unnecessarily being removed from their parents' care or restricted from enjoying meaningful time with their parents as a result of these preconceived biases and attitudes; and

WHEREAS, the National Federation of the Blind estimates that as many as one in four households in which the parents are blind have been visited by workers from child protection services; and

WHEREAS, the safety of children must be balanced with respect for differences in religion, culture, ethnicity, race, disability, and sexual orientation; and

WHEREAS, blindness itself does not preclude a parent's ability to raise kids; and

WHEREAS, blind parents use alternative techniques, which are variations on methods that are based on touch and hearing rather than sight, to accomplish some tasks; and

WHEREAS, there is research showing that children of blind parents can perform better, on average, than those with sighted parents in certain aspects; and

WHEREAS, thousands of blind parents have raised healthy children who have grown into responsible, productive adults; now, therefore,
BE IT RESOLVED by the House of Representatives of the
Twenty-ninth Legislature of the State of Hawaii, Regular Session
of 2018, that the Hawaii State Judiciary and Department of Human
Services are requested to not use:

1. A parent's blindness as a basis for denial or
   restriction of visitation or custody in family or
   dependency law cases when the visitation or custody is
determined to be in the best interest of the child;

2. A prospective parent's blindness as a basis for the
   prospective parent's denial of participation in public
   or private adoption when the adoption is determined to
   be in the best interest of the child; or

3. An individual's blindness as a basis for denial of
   foster care or guardianship when the appointment is
determined to be in the best interest of the child;

BE IT FURTHER RESOLVED that if a parent or prospective
parent's blindness is alleged to have a detrimental impact on a
child, the Hawaii State Judiciary and Department of Human
Services are requested to:

1. Place the burden of proof on the party raising the
   allegation by requesting evidence that the behaviors
   are endangering or will likely endanger the health,
   safety, or welfare of the child; and

2. Provide the blind parent or prospective parent the
   opportunity to demonstrate how the implementation of
   supportive parenting services can alleviate any
   concerns that have been raised; and
BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Chief Justice, Administrative Director of the Courts, and Director of Human Services.