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**DEPARTMENT OF HUMAN SERVICES**  
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February 3, 2025

TO: The Honorable Representative Lisa Marten, Chair  
House Committee on Human Services & Homelessness

FROM: Ryan I. Yamane, Director

SUBJECT: **HB 1382 RELATING TO CHILD WELFARE SERVICES.**

Hearing: Tuesday, February 4, 2025, 9:30 a.m.  
House Conference Room 329 & Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports the intent of this bill and offers comments. DHS respectfully requests that any appropriation not reduce or replace priorities identified in the executive budget.

**PURPOSE:** This bill appropriates funds for the Department of Human Services to contract with a nonprofit specializing in domestic violence to provide training and staff to be housed onsite in Child Welfare Services Branch offices to support all aspects of screening for and addressing domestic violence within a case.

DHS appreciates the work done by the Office of Wellness & Resilience and the Malama Ohana Working Group to assist with transforming the child welfare system.

Domestic violence is a serious societal problem that can have long-lasting physical and mental health consequences on children in the home. As indicated in the preamble, families involved in Hawaii's child welfare system include a significant number of cases involving domestic violence. DHS appreciates the added resources to address domestic violence and requests clarification regarding the scope of services the Legislature envisions that will be in

addition to or may enhance the current array of the Child Welfare Services Branch (CWSB) domestic violence training and contracted services. CWSB will need time to consult with the Department of the Attorney General and Branch offices on strategies to integrate additional services and work out the protocols and administrative issues to facilitate onsite contractors in all Branch offices throughout the State.

CWSB currently provides extensive staff training on all aspects of domestic violence. As a standard part of Child Welfare Services Branch New Hire Training, all staff receive over five hours of training exclusively on domestic violence. Also, throughout the six-week New Hire Training, domestic violence case examples are employed during assessment, case management, advocacy, family law, mental health, critical thinking, and safety planning training modules. Additionally, staff who perform different functions within CWSB receive specialized training for their positions in the New Hire Training.

Further, regarding community services for families, CWSB currently has twenty-one contracts with community non-profit organizations to provide domestic violence services to families. The contracted services include domestic violence shelter services, domestic violence counseling and support (for children and families not in a shelter), legal services for families in domestic violence shelters, legal services for immigrants experiencing domestic violence, and one statewide contract for teen domestic violence prevention and education. CWSB staff currently refer clients to these contracted services as appropriate. Many of these services are also used by families not involved in child welfare services.

If this measure passes, DHS respectfully requests that any State general fund appropriation not reduce or replace budget priorities identified in the executive budget.

Thank you for the opportunity to provide comments on this measure.

February 2, 2025

To: Chair Marten, and members of the Human Services and Homelessness Committee

From: Laurie Ariel Tochiki, Co-Chair Mālama 'Ohana Working Group

Re: Testimony in support of HB1382 with recommendations

I support HB 1382 Regarding Child Welfare Services, which addresses the need for training and collaboration when families are faced with both domestic violence and child welfare issues. The report of the Mālama 'Ohana Working Group includes many concerns about the difficulties and challenges faced by families experiencing domestic violence issues, and the ways that the system can cause harm when it intends to help. We urge the legislature to require the commitment of those agencies involved with these families to address the root causes of issues and to work collaboratively to seek solutions. Unfortunately, although training, tracking and assessment collaboration will help, we must address the underlying barriers as well. I urge the legislators to encourage joint problem solving across agencies while listening to the experiences of those with lived experience and the community.

In 2023 the Mālama 'Ohana Working Group was established to develop recommendations to establish a child welfare system that is trauma-informed, sustains a community-based partnership, and responds to the needs of children and families in the system and the community. I serve as Co-Chair of the working group. The working group has completed its work and a full copy of the report can be found at [www.malamaohana.net](http://www.malamaohana.net), however the working group is still subject to sunshine law until adjournment sine die. Therefore, I am testifying as a concerned citizen and speaking for the content of the report that was approved by the working group. To be clear, the working group will not be making further decisions now that the report has been filed. The working group may meet during the session to provide information to the public about its report but will not make further decisions at any such meeting. Therefore, it is not allowed under sunshine law that more than two of us meet to discuss the report, or next steps.

Our first task as the Mālama 'Ohana Working Group was to establish an approach to our work by cultivating and modeling the kind of listening and concern that we needed for our working group and modeling the type of child welfare system we hope for. From there, we began with the intense work of interviewing individuals, conducting conversations, and holding group discussions in Permitted Interaction Groups, which helped shape our initial understanding. We then conducted eleven community listening sessions throughout the state, gathering stories and ideas from each community we visited.

Two members of our working group were former birth parents with lived experience in the child welfare system, both are also survivors of domestic violence. Others on the working

group with lived experience, also experienced domestic violence issues as kin, and as former foster youth. In the Permitted Interaction Group (PIG) process several PIGs discussed issues and recommendations relating to domestic violence and the Systems PIG that I chaired conducted one session exclusively on the issues relating to the intersection of domestic violence and child welfare. Many of the community members who were especially active in the PIGs had experience as survivors of domestic violence. Also, in the community listening sessions every session in every community had at least one survivor who shared their experience, concerns, hopes, and dreams for the child welfare system.

Here is what they said:

- A common concern was the need for specialized understanding about the dynamics of domestic violence. One grandmother shared how her daughter, a victim of domestic violence, sought help from the police, but they repeatedly failed to intervene. After the daughter died by suicide, CWS placed the children with the abusive parent.
- Families shared that they were reluctant to seek help for domestic violence situations for fear that their children would be removed by CWS.
- Some parents shared that even though they were being abused or controlled by their partners, they and their children were punished. Victims were not believed or were not provided with resources to safely leave their partners and children were taken from both parents even though only one parent abused the rest of the family.
- People said CWS needs more training about domestic violence and more resources to help them appropriately assess, understand, and help mothers and children when they are threatened, hurt, and controlled by the mother's husband or partner.
- That the CWS system is used as a 'weapon' instead of protection, can produce a perverse, negative effect.
- Families searching for solutions to substance use disorders, domestic violence, and mental health issues often found that services were difficult to access or nonexistent.
- We learned that when county police officers are called to a domestic violence situation, they have been trained on tools to assess safety and lethality. When the same police officers are called to a child protection situation, they do not use those tools.
- We also learned that assessments of safety in child protection do not always align with assessments of safety and lethality in domestic violence situations.

The report includes many recommendations that would help to create the child welfare system envisioned in our report. Specifically:

- Provide accessible, trauma-responsive, specialized support and interventions outside the child welfare system for parents facing intense challenges such as severe poverty, substance use disorders, domestic violence, and serious mental and physical health conditions.
- Enhance CWS workers' abilities to properly understand and address these issues and support families with a trauma-responsive and culturally informed approach.
- Expand available services and safe housing options for parents and children affected by domestic violence to reduce the risk of unnecessary family separation.
- Improve cross-agency collaboration between CWS, law enforcement, and domestic violence service providers to ensure that victims receive protection and support rather than further harm or punishment.
- Train child welfare workers and family court personnel on the complexities of domestic violence, coercive control, and the appropriate assessment of risk to ensure better decision-making in child custody and welfare cases.

This bill has three parts:

First, specialized comprehensive domestic violence training for all child welfare services branch staff by function of each different type of staff: intake, assessment, case management, and permanency. Intake and case management staff will be trained to do universal screening to measure the level of exposure to and involvement in violence in the home and community, as well as other risk factors. Assessment and permanency social workers will be trained to manage domestic violence cases with skills in assessing child and family needs, creating safety plans, gathering witness declarations, and requesting medical records. Our recommendation: Community partners such as Hawaii State Coalition Against Domestic Violence (HSCADV) and its member partners created an excellent training program. This program needs to be repeated, and CWS and providers should have continued discussion about the systemic barriers to implementation.

Second, the bill seeks tracking of the families and the services to which the families are referred. We understand there are working groups and committees that have done some of this work. Our recommendation is that these efforts to inform our work with data, and to better coordinate services and collaboration be supported with funding. These efforts also need to be supported with an authentic commitment from all agencies to finding solutions. Finally, we learned the importance of the voices of lived experience in this work, and we encourage those agencies working on these issues to include survivors of domestic violence so that programs and processes better meet the fears and needs of those families experiencing domestic violence.

Third, the bill requires an

“Automatic referral of domestic violence identified cases to conduct joint case planning with a non-profit specialist in domestic violence. The specialists should, wherever possible, be located on-site at the child welfare services branch offices to be more of a presence and to work with the staff right when they are needed. The

collaborative work will build systemic capacity within the child welfare workforce to investigate domestic violence and to support and engage with families during the child welfare services intervention.”

We understand that initiatives like this have been tried in Hawai'i but have not been sustained. Like many recommendations in our report, CWS is inundated with many initiatives, without addressing foundational needs and concerns. What is needed is a cohesive implementation plan for improvements to CWS.

Our recommendation is that this requirement be first grounded in the discussions that follow the training in part one, so that the systemic barriers to implementation can be addressed. We learned that efforts like co-location of DV experts has been tried in Hawai'i, but that fundamental barriers such as a lack of coordinated strategies to assess safety, lethality, and case planning. We ask that the legislature amend this section to require law enforcement, the judiciary and CWS to find ways to include a DV specialist in all aspects of a child welfare case, and to address those fundamental barriers to coordinated strategies and case planning by establishing a cross-disciplinary working group or committee that includes service providers, domestic violence and child welfare experts and individuals with lived experience. We also ask for funding for CWS to develop a cohesive implementation plan to address the concerns raised in the community and the recommendations in the Mālama 'Ohana Working Group Report.

We are grateful for your support of the families and children in the child welfare system, and your efforts to find ways to improve the system.



## HAWAI`I YOUTH SERVICES NETWORK

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*Access to Independence*  
*Big Brothers Big Sisters Hawai`i*  
*Bobby Benson Center*  
*Child and Family Service*  
*Coalition for a Drug-Free Hawai`i*  
*Domestic Violence Action Center*  
*EPIC `Ohana, Inc.*  
*Friends of the Children's Justice*  
*Center of Maui*  
*Get Ready Hawai`i*  
*Hale Kipa, Inc.*  
*Hale `Opio Kaua`i, Inc.*  
*Hawai`i Children's Action*  
*Network*  
*Hawai`i Health & Harm*  
*Reduction Center*  
*Hawaii Island Community`*  
*Health Center*  
*Ho`ola Na Pua*  
*Ho`okele Coalition of Kaua`i*  
*Ka Hale Pomaika`i*  
*Kokua Kalihi Valley*  
*Kaua`i Planning and Action*  
*Alliance*  
*Lines for Life Youth Line*  
*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*  
*PHOCUSED*  
*Piha Wellness and Healing*  
*Planned Parenthood of the*  
*Great Northwest, Hawaii*  
*Alaska, Kentucky, Indiana*  
*Residential Youth Services*  
*& Empowerment (RYSE)*  
*Salvation Army Family*  
*Intervention Services*  
*Sex Abuse Treatment Center*  
*Susannah Wesley Community*  
*Center*  
*The Catalyst Group*

February 2, 2025

To: Senator Lisa Marten, Chair  
And members of the Committee on Human Services and  
Homelessness

### **TESTIMONY IN SUPPORT OF HB 1382 RELATING TO CHILD WELFARE SERVICES**

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 1132 Relating to Child Welfare Services

This bill will enable Child Welfare Services to provide more effective services in domestic violence situations. It will ensure that CWS staff have specific training, ensure supports for victims of domestic violence, and establishes mechanisms for tracking and accountability.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark, MPH  
Executive Director

**HB-1382**

Submitted on: 1/31/2025 5:38:04 PM

Testimony for HSH on 2/4/2025 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dara Carlin, M.A.	Individual	Support	Written Testimony Only

Comments:

**SUPPORT, SUPPORT, SUPPORT!!! :)**

YES, this is it!!! This is how you significantly and substantially reduce child abuse as well as post-separation abuse in Hawaii. Applause to the legislators for HB1382's introduction!

Please do all you can to ensure this measure gets passed and crosses the finish line! :)

**HB-1382**

Submitted on: 2/1/2025 6:46:05 AM

Testimony for HSH on 2/4/2025 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marilyn Yamamoto	Individual	Support	Written Testimony Only

Comments:

Representative Marten and committee members,

I strongly support HB1382, which seeks to allocate funding to contract domestic abuse experts to be stationed within child welfare offices.

Domestic abuse is a pervasive issue that affects not only adults but also children, who are often exposed to trauma that has lifelong consequences. Credible data varies from 30 to 50% of all child welfare cases have some level of domestic abuse as a factor. That is a significant number.

Unfortunately, child welfare professionals, despite their best intentions, are not always equipped with the specific expertise necessary to address the intricacies of domestic abuse. This bill proposes a critical solution: contracting domestic abuse experts who can work directly within child welfare offices. These professionals would bring a depth of knowledge and specialized training, ensuring that children and families in these situations are supported with the best resources and interventions available.

With specialists present, child welfare workers can get immediate guidance on handling complex domestic violence cases, leading to quicker, more accurate decisions and better outcomes for families.

Marilyn Yamamoto

Hawaii Coalition for Child Protective Reform

**HB-1382**

Submitted on: 2/3/2025 7:31:31 PM

Testimony for HSH on 2/4/2025 9:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, SUPPORT HB1382 to include as necessary social worker be "escorted" by a police officer as warranted.