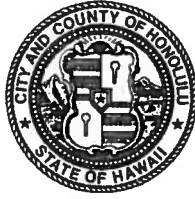


POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org



KIRK CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

CARY OKIMOTO
JERRY INOUE
DEPUTY CHIEFS

OUR REFERENCE WO-NTK

February 3, 2017

The Honorable Dee Morikawa, Chair
and Members
Committee on Human Services
House of Representatives
Hawaii State Capitol
415 South Beretania Street, Room 329
Honolulu, Hawaii 96813

Dear Chair Morikawa and Members:

SUBJECT: House Bill No. 1287, Relating to Child Care

I am Walter Ozeki, Captain of the Criminal Investigation Division of the Honolulu Police Department (HPD), City and County of Honolulu.

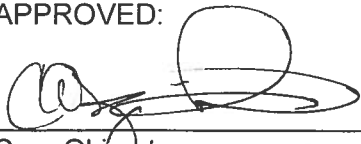
The HPD opposes House Bill No. 1287, Relating to Child Care.

We recognize the importance of providing safe child care for Hawaii's children. In previous written testimony, the HPD supported Senate Bill No. 21, Relating to Child Care, as it provided what we believe to be just and reasonable penalties for violation of the provisions of this section. Based on the HPD's support of Senate Bill No. 21, it would be contradictory to also support House Bill No. 1287, as it imposes different penalties for the same violations to the provisions of this section.

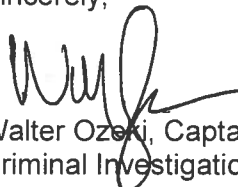
The HPD urges you to oppose House Bill No. 1287, Relating to Child Care.

Thank you for the opportunity to testify.

APPROVED:


Cary Okimoto
Acting Chief of Police

Sincerely,


Walter Ozeki, Captain
Criminal Investigation Division

HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 9:19 AM
To: HUStestimony
Cc: hcoreycherry@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
corey cherry	Individual	Support	No

Comments: A concerned citizen in kona Hawaii

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 8:31 AM
To: HUStestimony
Cc: avorsino@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Adam Vorsino	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 8:31 AM
To: HUStestimony
Cc: afsheenahmad@yahoo.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
afsheen siddiqi	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 8:25 AM
To: HUStestimony
Cc: delafiel@hawaii.edu
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Rebecca Delafield	Individual	Support	No

Comments: HB1287 - Penalties - I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 8:21 AM
To: HUStestimony
Cc: kristac013@hotmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Krista Anderson	Individual	Support	No

Comments: I am a resident of Kamuela and am pregnant with twins and I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:55 AM
To: HUStestimony
Cc: joshuapatwood@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Josh Atwood	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:46 AM
To: HUStestimony
Cc: knm956@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Karl Magnacca	Individual	Support	No

Comments: I generally support having a criminal penalty for violations that can have serious consequences, but am concerned that it may apply a severe penalty to minor infractions.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:41 AM
To: HUStestimony
Cc: yuby40@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Yubin Sol	Individual	Support	No

Comments: My name is Yubin Sol and I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws. My husband, Lloyd Oshiro, and I were victims of someone perpetrated this heinous act and want to ensure nothing like this ever happens to any other families.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:39 AM
To: HUStestimony
Cc: jarrodquon@gmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jarrold Quon	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:37 AM
To: HUStestimony
Cc: lloyd.oshiro@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Lloyd Oshiro	Individual	Support	No

Comments: My name is Lloyd Oshiro and I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws. I was a victim of someone who perpetrated this heinous act and want to be sure this doesn't happen to any other families.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:24 AM
To: HUStestimony
Cc: kiko_mcmurry@hotmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Kiyoko Camp	Individual	Support	No

Comments: I am a resident of Volcano and I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:19 AM
To: HUStestimony
Cc: jason.askins@gmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jason Askins	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:13 AM
To: HUStestimony
Cc: leyla@hawaii.edu
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Leyla Kaufman	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:07 AM
To: HUStestimony
Cc: jeanedwards@wildblue.net
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jean Edwards	Individual	Support	No

Comments: HB1287- I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws. As there has been too lax oversight and accountability and this legislation will provide at least some layers of protection for babies and their families. Thank you.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 7:00 AM
To: HUStestimony
Cc: iris_iris03@yahoo.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
emily king	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 6:44 AM
To: HUStestimony
Cc: indigo_oman@yahoo.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Benson	Individual	Support	No

Comments: As a mother and concerned citizen I support establishing felony class criminal penalties and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 6:35 AM
To: HUStestimony
Cc: jane.fujita@gmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jane Fujita	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 6:08 AM
To: HUStestimony
Cc: mswking1944@yahoo.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Marilyn King	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 5:13 AM
To: HUStestimony
Cc: rick_camp@hotmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Richard Camp	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 2:01 AM
To: HUStestimony
Cc: askins.sally@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Sally Askins	Individual	Support	No

Comments: As a mother of one child with another on the way, I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 1:34 AM
To: HUStestimony
Cc: jania34@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Jani	Individual	Support	No

Comments: Child care providers who are licensed to care for children are entrusted with the safety of those children. I am not an expert in law or policy, but my understanding is that theft of property valued above \$300 is a felony in our state. In comparison, it seems only reasonable that deliberate violation of safety code, which could result in injury or even death of young children, should be classified as a felony. I also support higher civil penalties for such violations.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 1:33 AM
To: HUStestimony
Cc: nelsoncraige@netscape.net
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Craig Nelson	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 12:27 AM
To: HUStestimony
Cc: nicole.s.wilson@gmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Atwood	Individual	Support	No

Comments:

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My name is Cynthia King and I am an individual citizen providing testimony in support of HB1287. I support the increase of civil penalties for day care providers who violate state laws. And I believe it is a necessity to establish misdemeanor and/or felony charges for those who recklessly violate state laws pertaining to child safety in day care.

My son Wiley Muir, was not quite four months old when he passed away under the care of a State licensed day care provider, Therese Manu-Lee in February 2014. Manu-Lee provided conflicting stories about the circumstances surrounding his death. We now know that she was caring more than the legal number of children at the time of Wiley's death. We also now know that she had two adult men living in the house who were not approved by DHS to be present with the children. They were her sons, but they had not undergone the standard background checks and approvals. Given that her mother ran a state licensed day care prior to her taking it over, she was well aware of the requirements to disclose their presence. Other parents noted that she would at times leave her house to run errands, leaving the children with an assistant and/or her sons.

Following Wiley's death, Manu-Lee's State license was suspended while DHS supposedly conducted an investigation regarding the circumstances of this death. Despite the license suspension, Manu-Lee opened up a day care at another location and continued watching children. Over this same period, Manu-Lee took deposits from parents, and did not disclose that her license was suspended. She did not provide child care services to those parents, and many never received their money back. Despite complaints about this behavior being reported to DHS, her license was reinstated once the investigation regarding Wiley's death was closed.

In July of 2015, Manu-Lee was shut down once again. Based on a tip, DHS completed a surprise inspection of her home, and she was caught with 14 children in her care, 8 of which were infants. According to her records, a total of 18 children were receiving care, though they were not all present at the time of the inspection. Her license was again suspended, this time on the grounds of physical neglect of children, and I understand that I was supposed to be revoked. All of this information was verified to me by a DHS case worker.

But the reason my husband and I learned all of this, is not because DHS informed us. We were never called and told that the woman under whose care my baby passed away, was found to be warehousing children. The reason I found out, is that I saw her in a new job. I saw her caring for an elderly person. The State Attorney General's office has since verified to me that Therese Manu-Lee was indeed employed by Wilson Home Care. This is a trusted assisted living home health care service for the elderly on Oahu. A company that runs criminal and abuse background checks. But, after my baby died under suspicious circumstances in her care, after she committing fraud innumerable times (and eventually filed for bankruptcy), and after she was caught neglecting four times the legal number of infants, Therese Manu-Lee still has nothing to show for it on her record.

I am asking you to change this broken system, and instill real accountability. Our high quality day care providers will not fear this bill. Our high quality care providers will welcome this bill, because they love children and care about the safety of children above all else. I am not saying that all day care providers in Hawaii are like Therese Man-Lee. But if there are any people out there who make choices that put our children at risk, whether intentionally or out of sheer ignorance, they absolutely deserve to incur penalties, and be charged with a class C felony.

HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 9:43 PM
To: HUStestimony
Cc: jmuir@hawaii.edu
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
jeff muir	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 9:40 PM
To: HUStestimony
Cc: joshua.stanbro@gmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Josh Stanbro	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 9:23 PM
To: HUStestimony
Cc: skwalsh@hawaii.edu
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Seana Walsh	Individual	Support	No

Comments: I am a concerned citizen of Kaua'i and I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 9:00 PM
To: HUStestimony
Cc: carlm@hawaii.edu
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Meyer	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 8:18 PM
To: HUStestimony
Cc: christinarleopold@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Christina Leopold	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 8:09 PM
To: HUStestimony
Cc: exeditor2003@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth King	Individual	Support	No

Comments: It's long past time to establish criminal and civil penalties for those State licensed day care providers who violate child care laws. Thank you for your work on behalf children and their families.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:41 PM
To: HUStestimony
Cc: rosemarymm2003@yahoo.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Rosemary Malvey	Individual	Support	No

Comments: As a mother and a grandmother I urge your support for the health and well being of all children.

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HUStestimony

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To: HUStestimony
Cc: sporck@hawaii.edu
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Koehler	Individual	Support	No

Comments: I'm a resident of Kalaheo and I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:17 PM
To: HUStestimony
Cc: nowakc001@hawaii.rr.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Carol Nowak	Individual	Support	No

Comments: Please support this very important bill to protect our most vulnerable keiki (ages 0-4)

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 7:12 PM
To: HUStestimony
Cc: pauldk@hawaii.edu
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Krushelnycky	Individual	Support	No

Comments: I believe that establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws are important and needed fixes to our child care system.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 1, 2017 6:45 PM
To: HUStestimony
Cc: kteranis@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kristen Teranishi	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

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Sent: Wednesday, February 1, 2017 6:17 PM
To: HUStestimony
Cc: banillavean@yahoo.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/1/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Prior	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 10:29 AM
To: HUStestimony
Cc: melissaanne808@yahoo.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Jones	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 10:43 AM
To: HUStestimony
Cc: kellykozar@hotmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kelly Kozar	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 11:54 AM
To: HUStestimony
Cc: rubinoff@hawaii.edu
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

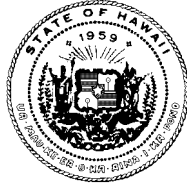
Submitted By	Organization	Testifier Position	Present at Hearing
Daniel Rubinoff	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

BRIDGET HOLTHUS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 3, 2017

TO: The Honorable Representative Dee Morikawa, Chair
House Committee on Human Services

The Honorable Representative Takashi Ohno, Chair
House Committee on Intrastate Commerce

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 1287 – RELATING TO CHILD CARE**

Hearing: Friday, February 3, 2017, 9:00 a.m.
Conference Room 329, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) acknowledges the efforts of the Legislature and community advocates to ensure the health and safety of children in care and offers comments and concerns. DHS respectfully defers to the respective County police departments and Prosecutors' Offices regarding enforcement and prosecution.

PURPOSE: The purpose of the bill is to provide that any person violating the child care provisions of Chapter 346, Hawaii Revised Statutes, shall be guilty of a class C felony; increases the applicable fines.

The primary focus of DHS child care licensing program is on the health and safety of all children in care. Having enough safeguards in place to ensure children's health and safety in different child care settings, while maintaining a sufficient statewide inventory of quality affordable child care is a difficult proposition. Access to quality affordable child care supports parents' and caregivers' ability to work, and quality early learning supports a child's social emotional development to be successful in grade school and beyond.

DHS provides child care subsidies to parents and caregivers, who in turn pay the child care provider of their choice. The state does not have institutional child care; Hawaii's regulated child care is provided by private businesses, large and small. Hawaii also has a large number of unregulated child care, friends, family or neighbors caring for children.

Existing criminal laws and applicable civil torts already exist to address actions or omissions that would lead to prosecution or relief through civil damages. Adding more criminal penalties, which may satisfy a safety requirement, does not add to improving the quality or availability of safe and healthy child care in the state.

Existing DHS administrative rules include the following violations that may be punishable by a fine and may also be subject to the denial, suspension, or revocation of a license or registration:

- a) Operation of a child care facility without a license or registration;
- b) Caring for more children than allowed by the facility's license or registration;
- c) Violation of the staff-child ratios;
- d) Improperly certifying staff credentials;
- e) Failure to comply with timely request for criminal history records check;
- f) Allowing conditions to exist which constitute an imminent danger to the health, welfare, or safety of the children in care; or
- g) Injuries to children due to staff/caregiver's negligence.

HB 1287 proposes the imposition of a class C felony and increased fines on *any* violations of Part VIII of Chapter 346. A violation of administrative record keeping is a violation subject to the enhanced penalty. As drafted, the proposal is overbroad.

DHS is concerned that imposing a class C felony and increased fines for any violation will impact those who are currently or who are willing to be child care providers, decreasing capacity of licensed and registered child care. In fiscal year (FY) 2011, there were 656 registered family child care homes. In FY 2016, there were 482 registered family child care homes, a decrease of more than 25%. This is a national trend as well.

Further, such punitive actions, while punishing offenders, would not serve to improve or increase the overall quality of care, quality which leads to conditions of improved health and safety.

Procedurally, DHS has additional concerns. Currently, DHS does not refer violations of Part VIII of Chapter 346 to the County Prosecutors' Offices nor does DHS have authority to conduct criminal investigations in these matters. Clarification is needed on the referral process. A related issue is the standard of proof that DHS would be expected to use if the penalties are so severe.

We are listening to the concerns of our community and continue to examine how to improve our systems to be more efficient and effective in serving Hawai'i's children and their families.

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

HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 12:35 PM
To: HUStestimony
Cc: suzmarshall@gmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

Categories: LATE

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Marshall	Individual	Support	No

Comments:

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HUStestimony

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 12:58 PM
To: HUStestimony
Cc: Kmfujita4@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

Categories: LATE

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kimberly Fujita	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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todd2 - Chloe

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 2:15 PM
To: HUS testimony
Cc: leahlaramée@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Leah Laramée	Individual	Support	No

Comments: As a loving aunty to many. I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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todd2 - Chloe

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 1:37 PM
To: HUS testimony
Cc: tcolleencole@gmail.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Colleen Cole	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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todd2 - Chloe

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 10:24 PM
To: HUSstestimony
Cc: sischo@hawaii.edu
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
David Sischo	Individual	Support	No

Comments: I support establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws.

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todd2 - Chloe

LATE

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 5:56 PM
To: HUS testimony
Cc: g.nmi.fu@gmail.com
Subject: *Submitted testimony for HB1287 on Feb 3, 2017 09:00AM*

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
george fujita	Individual	Support	No

Comments:

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LATE

todd2 - Chloe

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 2, 2017 4:51 PM
To: HUSstestimony
Cc: bugman@climbaloha.com
Subject: Submitted testimony for HB1287 on Feb 3, 2017 09:00AM

HB1287

Submitted on: 2/2/2017

Testimony for HUS on Feb 3, 2017 09:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Richardson	Individual	Support	No

Comments: To: Hawaii State Representatives From: Michael Richardson / 2241 Noah St. Honolulu
Date: February 3, 2017 My name is Michael Richardson, a resident of Hawaii, parent of 4 young children, and active voter. I am writing in strong support of House Bill 1287, regarding establishing criminal penalties (felony class) and increasing civil penalties for those State licensed day care providers who violate child care laws. Sincerely, Michael Richardson, Hawaii Resident and Active Voter

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