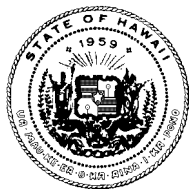


DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96808

February 4, 2020

TO: The Honorable Senator Karl Rhoads, Chair
Committee on Judiciary

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2334 SD1 - Relating to Minors**

Hearing: February 24, 2020, 12:00 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill and provides comments. As this and other measures move through the committees, DHS is open to discussing possible immediate and longer-term options with legislators, stakeholders, providers, and youth. In the short term, DHS will look at possible options through amending administrative rules.

DHS appreciates the intent of the amendments of the Committee on Human Services, however, providing appropriate "no cost" emergency shelter and related services on every island does not necessarily require statutory amendment to subsection 346-17.6(b), Hawaii Revised Statutes (HRS); however, such a mandate will require appropriations.

DHS also comments that instead of narrowly focusing on subsection (b) of section 346-17.6, that the entire section 346-17.6, HRS, be considered as other points of amendment that may increase shelter and related services for unaccompanied homeless minors. The definition subsection 346-17.6(h), HRS, currently provides,

For purposes of this section:

"Minor" means a person less than eighteen years of age.

"No cost emergency shelter and related services" means accommodation at no cost for a continuous period

of no more than thirty days, unless extended for emergency purposes and in compliance with subsection (b), including beds, meals, individual showering facilities, transportation to and from the place of shelter, and any of the following services as deemed appropriate by the provider:

- (1) Assistance with reunification with the family, legal guardian, or legal custodian of the minor;
- (2) Referral to safe housing;
- (3) Individual, family, and group counseling;
- (4) Assistance in obtaining clothing;
- (5) Access to medical and dental care, and mental health counseling;
- (6) Education and employment services;
- (7) Recreational activities;
- (8) Case management, advocacy, and referral services;
- (9) Independent living skills training; and
- (10) Aftercare services, as those services are defined in title 45 Code of Federal Regulations section 1351.1.

"Provider" means any child placing organization, or child caring institution authorized by the department under section 346-17 to receive or place minor children for care and maintenance and to provide related services, health care, or supplies to these minors.

If the intent of the Legislature is to allow to provide more access to shelter through additional kinds of providers and shelter services, then consideration to amend "provider" perhaps should be the focus of an amendment.

PURPOSE: Expands conditions for a minor to consent to no-cost emergency shelter and related services, establish certain requirements by a shelter, and requires effort to leave a shelter for minors on each island. (SD1)

DHS supports minors having greater access to shelter and the ability to independently consent to shelter. The Street Youth Study done by UH Center on the Family, Waikiki Health, and Hale Kipa in 2017 showed that “...youth aged 12-17 are at higher risk than adults of becoming homeless,” and that the “average age of the first homeless episode was 14.1 years”.

http://uhfamily.hawaii.edu/publications/brochures/3ff7d_street%20youth%20study-013118_final.pdf

Safety of Hawaii's minors is a priority. DHS is interested in working with the Legislature, stakeholders, and community to develop appropriate shelter, housing programs and related services for unaccompanied youth under 18 who are experiencing homelessness. Currently, there are limited emergency shelters specifically to serve minors under 18¹ or independent living programs for minors not involved with Child Welfare Services (CWS). As a result, some minors seek shelter with older adults and leave themselves vulnerable to being victimized. With improved homeless data and shelter services available at Kawaihoa Health & Wellness Center available to young adults, 18-24, we recognize the need to develop additional youth drop in and shelter services for unaccompanied minors, including pregnant or parenting minors, whether they are involved with child welfare services or not, as many of the minors encountered are not involved with CWS.

We learn from advocates that emergency shelter that meet basic needs and other supported housing options with some flexibility are needed; however, reducing the number of transitions and finding a stable permanent housing solution should be the goals. New York State has developed three kinds of shelter and residence options for homeless youth: Runaway & Youth Homeless Shelter, Interim Family Homes, and Transitional Independent Living Support Program residences. See <https://ocfs.ny.gov/main/youth/rhy/program-descriptions.asp>. Host homes are used in other communities, <https://www.pointsourceyouth.org/host-homes>. Once sheltered, access to health care, mental health, substance abuse, and other services, such as G.E.D. classes, are necessary.

Additionally, DHS Child Welfare Services has difficulty recruiting and retaining resource homes for older youth, especially those who have been trafficked; so, developing additional

¹Note: current DHS service provider does hold a limited number of beds available for homeless minors who are not CWS involved – with notice to the agency.

shelter and transitional independent living support programs would increase capacity to assist unsheltered youth.

Thank you for the opportunity to testify.



EXECUTIVE CHAMBERS
HONOLULU

LATE

DAVID Y. IGE
GOVERNOR

February 24, 2020

TO: The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary

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

SUBJECT: **SB2344 SD1 – RELATING TO MINORS**

Hearing: Monday, February 24, 2020, 12:00 p.m.
Conference Room 016, 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 conditions for a minor to consent to no-cost emergency shelter and related services, establish certain requirements by a shelter, and requires effort to leave a shelter for minors on each island.

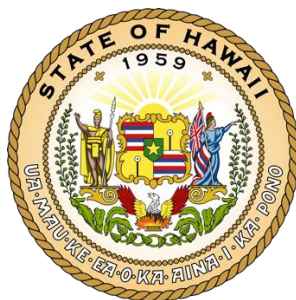
The intent of this measure appears to align with the goals of the Hawaii Interagency Council on Homelessness (HICH) ten-year strategic plan, which includes a specific focus on improving access to services that address youth development, including strengthening support for homeless minors under the age of 18. In addition, service providers report that it is often difficult to build rapport and trust with unaccompanied minors due to fear that they will be reported to child welfare services or law enforcement, as well as the lack of immediate beds to offer to this population. If this bill proceeds, the Coordinator is open to discussions with key stakeholders to identify and recommend strategies to address the barriers to service for unaccompanied homeless minors.

The Coordinator notes that "no cost emergency shelter," as defined in section 346-17.6, Hawaii Revised Statutes (HRS), limits the stay in shelter to no more than 30 days, unless extended for emergency purposes. In contrast, other programs for homeless youth ages 18-24,

such as the RYSE Youth Access Center, do not have a defined maximum period of stay. Homeless emergency shelters for adults and families also do not have a defined maximum period of stay. Limits on length of stay could disincentive minors from accepting offers of shelter, and the Coordinator respectfully recommends that the Legislature consider this factor if this bill proceeds further.

The Coordinator further notes that recent programs being implemented in Hawaii may assist in adding bed capacity and services for homeless minors. In particular, Partners in Care – the Continuum of Care (CoC) for Oahu – was recently awarded a three-year \$3.8 million Youth Homelessness Demonstration 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.

Thank you for the opportunity to testify on this bill.



‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
Hawai‘i State Commission on the Status of Women

Prepared for the Senate Committee on Judiciary

In Support of SB2344
February 24, 2020, at 12:00 p.m. in Room 016

Dear Chair Rhoads, Vice Chair Keohokalole, and Honorable Members,

The Hawai‘i State Commission on the Status of Women writes in **support** of SB2344 SD1, which expands conditions for a minor to consent to no cost emergency shelter and related services to include a minimum age of sixteen years and certain requirements by a shelter.

No youth should be alone and without shelter. This measure is urgently needed because houseless youth experience a high rate of sexual exploitation. Generally, sex trafficking can be attributed to prior sexual abuse, which can lead children to running away from home. Regardless of the age of consent in a state, any runaway under 18 who exchanges sex for shelter or food is by federal definition “trafficked,” even if no trafficker is involved. Access to shelter with wraparound care can prevent child sex trafficking, and break the cycle of intergenerational sex trafficking.

According to the National Center for Missing and Exploited Children, 1 in 6 runaways are likely sex trafficking victims—most solicited for sex within 72 hours on the street.¹ The Hawai‘i State Commission on the Status of Women recently found that nearly one in four sex trafficking victims surveyed by Child and Family Service were first victimized as minors.² For participants initially trafficked as minors, the average age of entry was 11 years old.

This measure represents an important reform to prevent not only houselessness but child sex trafficking.

Accordingly, the Commission respectfully urges the Committee to pass SB2344 SD1.

Sincerely,

¹Kessler, G. Fact Checker, Washington Post, Jul. 1, 2015, <https://www.washingtonpost.com/news/fact-checker/wp/2015/07/02/are-there-hundreds-of-thousands-of-sex-trafficked-runaways-in-the-united-states/>.

² Jabola-Carolus, K. & Roe-Sepowitz, D., *Sex Trafficking Experiences Across Hawai‘i*, Arizona State University, Feb. 2020.

Khara Jabola-Carolus

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

Rick Collins, 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

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action

Network

Hawaii Health & Harm

Reduction Center

Hawaii Student Television

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 21, 2020

To: Senator Karl Rhoads, Chair
And members of the Committee on Judiciary

Testimony in Support of SB 2344 Relating to Minors

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports HB 2344 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 circumstances in which consent from a parent or guardian cannot be obtained.

The intent of this bill is to allow an unaccompanied minor to be admitted to a shelter that houses adults when no beds are available in youth shelters.

There is no doubt that more youth shelter beds are needed. Youth homelessness providers encounter more than 400 youth on the streets annually.

Housing a minor in a shelter designed to serve young adults up to age 24 who have similar developmental, educational, and workforce preparation needs is reasonable. Residential Youth Services and Empowerment (RYSE) is an example of a shelter program that could be suitable for some minors.

Hawaii Youth Services Network has concerns, however, about placing a minor in a facility that are geared to serve chronically homeless adults, especially those with large numbers of residents with mental health and substance abuse concerns. Services and staffing in such facilities are not designed for unaccompanied minors and cannot meet their unique needs. We feel that there is risk of abuse and exploitation in such facilities.

Some erroneous information was provided by previous testifiers and included in Committee Report # 2806 which HYSN wishes to correct. The report stated that there is only one full service shelter for unaccompanied minors in the State. In actual fact there are four operated by:

- Hale Kipa on Oahu;
- Maui Youth and Family Services on Maui;
- Hale 'Opio Kauai on Kauai; and,
- The Salvation Army Family Intervention Services on the island of Hawaii.

On Molokai and Lanai, Maui Youth and Family Services can provide shelter through emergency host homes.

There is only one shelter in the State specializing in services to the 18 – 24 year old young adult population.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial "J" and a distinct "F" and "C".

Judith F. Clark, MPH
Executive Director

LATE

SB-2344-SD-1

Submitted on: 2/23/2020 8:20:24 PM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Algire	Testifying for Hawai'i Children's Action Network Speaks!	Support	No

Comments:

SB-2344-SD-1

Submitted on: 2/23/2020 10:46:53 AM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carla Houser	Testifying for RYSE (Residential Youth Services & Empowerment)	Support	Yes

Comments:

We stand on the previously provided testimony submitted in strong support of SB2344 SD1.



SB 2344, SD1, RELATING TO MINORS

FEBRUARY 24, 2020 · SENATE JUDICIARY
COMMITTEE · CHAIR KARL RHOADS

POSITION: Support.

RATIONALE: IMUAlliance supports SB 2344, SD1, relating to sex trafficking, which expands conditions for a minor to consent to no-cost emergency shelter and related services, establish certain requirements by a shelter, and requires effort to leave a shelter for minors on each island.

IMUAlliance is one of the state's largest victim service providers for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention (victim rescue) services to 150 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims and individuals at risk of sexual exploitation. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily trauma bonded to her pimp that while under his grasp, she couldn't remember her own name. Yet, sadly, many of the victims with whom we work are misidentified as so-called "voluntary prostitutes" and are subsequently arrested and incarcerated, with no financial resources from which to pay for their release.

Sex trafficking is a profoundly violent crime. At least 23 percent of trafficking victims in Hawai'i report being first exploited before turning 18, according to a recent report, with the average age

of trafficked keiki's initial exposure to exploitation being 11. Based on regular outreach and monitoring, we estimate that approximately 150 high-risk sex trafficking establishments operate in Hawai'i. In a recent report conducted by the State Commission on the Status of Women, researchers from Arizona State University found that 1 in every 11 adult males living in our state buys sex online. When visitors are also counted, that number worsens to 1 in every 7 men walking the streets of our island home and a daily online sex buyer market of 18,614 for O'ahu and a total sex buyer population for the island of 74,362, including both tourists and residents.

ASU's findings are grim, but not surprising to local organizations that provide services to survivors of sex trafficking. IMUAlliance, for example, has trained volunteers to perform outreach to victims in high-risk locations, like strip clubs, massage parlors, and hostess bars. More than 80 percent of runaway youth report being approached for sexual exploitation while on the run, over 30 percent of whom are targeted within the first 48 hours of leaving home. With regard to mental health, sex trafficking victims are twice as likely to suffer from PTSD as a soldier in a war zone. Greater than 80 percent of victims report being repeatedly raped and 95 percent report being physically assaulted, numbers that are underreported, according to the United States Department of State and numerous trauma specialists, because of the inability of many victims to recognize sexual violence. As one underage survivor told IMUAlliance prior to being rescued, "I can't be raped. Only good girls can be raped. I'm a bad girl. If I *want* to be raped, I have to *earn* it."

Accordingly, we support measures to advance our state's ability to crack down on sexual slavery, including this measure's expansion of access to emergency shelters for minors. **Hawai'i currently lacks a dedicated emergency shelter for sex trafficking victims, leaving a glaring gap in our state's continuum of care for survivors.** Currently, if IMUAlliance and our strategic partners rescue a victim from slavery, we are forced to rely on a patchwork system of services. While our partners—including the federal Department of Homeland Security, Federal Bureau of Investigation, Hawai'i Departments of Health, Education, and and Human Services, county police departments, and nongovernmental organizations like Ho'ola Na Pua—do an excellent job of caring for victims, the lack of a shelter space inhibits agency coordination, impedes the provision of immediate safety, and, in some cases, prevents victims from being properly identified because less trauma-informed alternatives—sometimes including juvenile detention centers—are viewed as the only available spaces in which to house them in a crisis.

Victims frequently require a “cool down” period once out of bondage, during which they may require emergency medical attention, psychological care, trauma counseling, and addiction services (for the many victims whose pimps use illegal drugs as a way of coercing them into sexual exploitation), all of which are best facilitated from the centralized location. If our state’s goal is to fully treat victims as victims, rather than as criminals, we must begin working to establish a place for their healing to begin immediately upon being delivered from captivity.

SB-2344-SD-1

Submitted on: 2/21/2020 10:35:19 PM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Goodman	Testifying for Hawaii Kai Homeless Task Force	Support	No

Comments:

SB-2344-SD-1

Submitted on: 2/22/2020 12:50:05 PM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Individual	Support	No

Comments:

I strongly support SB2344 and the inclusion of language to support unaccompanied minors on all islands. Please pass this long-overdue measure. Thank you.

Mike Golojuch, Sr.

Secretary/Board Member, Rainbow Family 808

Secretary/Board Member, Pride at Work

SB-2344-SD-1

Submitted on: 2/21/2020 2:10:36 PM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jared Watumull	Individual	Support	No

Comments:

I support this measure. Organizations need to be able to help at risk teens and shouldn't have to turn people seeking help away because they aren't old enough. As a community we need to support everyone who is seeking support no matter their age.

Thank you

SB-2344-SD-1

Submitted on: 2/21/2020 3:57:50 PM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Younghi Overly	Individual	Support	No

Comments:

SB-2344-SD-1

Submitted on: 2/21/2020 4:51:06 PM

Testimony for JDC on 2/24/2020 12:00:00 PM

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

Comments:

I strongly support SB2344 relating to minors. It is inexcusable to let our young people flounder without shelter because they have no safe place to go. They need to be offered shelter and related services at a younger age and be treated with the care and support they deserve or they will develop survival habits that will be our fault. These will be hard on them and on society and the community at large. Please pass this bill, inexpensive in the long term, and caring for now

SB-2344-SD-1

Submitted on: 2/21/2020 9:43:24 PM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dana K. Anderson	Individual	Support	No

Comments:

Please pass this bill to expand conditions for a minor to consent to no-cost emergency shelter and related services, establish certain requirements by a shelter and require effort to leave a shelter. We do not yet have enough safeguards for unaccompanied minors to seek shelter from abusive parents and dangerous home conditions. This is urgent, please help.

Thank you.

SB-2344-SD-1

Submitted on: 2/23/2020 10:51:53 AM

Testimony for JDC on 2/24/2020 12:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Beeman	Individual	Support	No

Comments:

I strongly support SB2444 SD 1 in its effort to allow unaccompanied homeless minors to receive low barrier shelter.

Mahalo for this opportunity to testify.