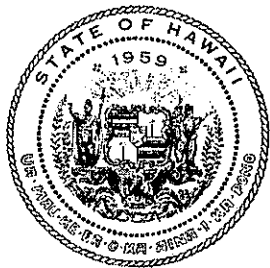


HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



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LATE Testimony

February 1, 2012

Testimony in Opposition of HB 2329, Relating to Temporary Assistance for Other Needy Families

To: Representative John M. Mizuno, Chair
Representative Jo Jordan, Vice Chair
Members of the House Committee on Human Services

From: Catherine Betts, Esq., Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Opposition to HB 2329, Relating to TANF

On behalf of the Hawaii State Commission on the Status of Women, I would like to thank the committee for this opportunity to provide testimony on such an important issue to Hawaii's women and girls. I would like to express my opposition to HB 2329, which would establish a mandatory residency requirement of six months prior to becoming eligible for TANF benefits.

In 1999, California sought to enact similar legislation by limiting new residents' eligibility for Aid to Families with Dependent Children (AFDC). This legislation was struck down by the United States Supreme Court, which held that the legislation, seeking to inhibit the migration of needy persons into the state, violated the Equal Protection Clause by denying welfare benefits to newly arrived residents. The Court further specified that the residency classification had the effect of imposing a penalty on the right to travel, thereby triggering an Equal Protection Clause violation absent a compelling governmental interest. The Court reasoned that California's legitimate interest in saving money did not justify this discriminatory scheme.¹

Enacting a six months residency requirement for Temporary Assistance for Needy Families (TANF) eligibility is not sound public policy and has the potential to exacerbate the homelessness and poverty that already plagues Hawaii. In addition, victims of domestic violence fleeing their home state and their abusers would be denied assistance if they did not meet the residency requirements. In other words, denying assistance to new residents does nothing to diminish the underlying problems that cause people to seek public assistance in the first place.

Hawaii, as a State, cannot be compared to Garza County, Texas, which has a tiny population of 6,461.² Adopting their TANF policies does not make sense for our state economy or for the people of Hawaii. The Commission respectfully requests that this Committee not pass HB 2329.

Thank you for this opportunity to testify.

¹ Saenz v. Roe, 526 U.S. 489, 134 F. 3d 1400 (1999).

² Garza County Profile, available at:

<http://www.txcip.org/tac/census/profile.php?FIPS=48169>, last visited on February 1, 2012.

Catherine Betts,
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