

SB 2879

Measure Title: RELATING TO FOSTER CHILDREN.

Report Title: Foster Children

Description: Updates the wording from "foster boarding home" to "resource family home" and "foster parents" to "resource caregivers"; establishes qualified immunity for resource caregivers and child caring institutions; adds the requirement that resource caregivers and child care institutions use the reasonable and prudent parent standard when authorizing children in foster care to participate in activities; and changes the age from sixteen to fourteen years of age for children in foster care to be involved in their foster care plans.

Companion: [HB2350](#)

Package: Governor

Current Referral: HMS, JDL

Introducer(s): KOUCHI (Introduced by request of another party)



The Judiciary, State of Hawaii

Testimony to the Senate Committee on Human Services

Senator Suzanne Chun Oakland, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

Tuesday, February 2, 2016, 1:15 p.m.
State Capitol, Conference Room 016

By

WRITTEN TESTIMONY ONLY

R. Mark Browning
Senior Judge, Deputy Chief Judge
Family Court of the First Circuit

Bill No. and Title: Senate Bill No. 2879, Relating to Foster Children

Purpose: Provides amendments to the HRS Chapter 587A, the Child Protective Act.

Judiciary's Position:

The Judiciary takes no position on this bill. However, we question the need to change the term “independent living” to “successful adulthood” at page 14, lines 2 and 6 and page 15, lines 6 and 10. The term “independent living” has become a term of art. It is widely used to denote a set of skills that encompasses a wide range of proficiencies in medical, educational, vocational, financial, and social self-care. This term is consistently used by federal and state entities and private not-for-profit funders and foundations. This unnecessary change could cause confusion in programming and funding.

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

DAVID Y. IGE
GOVERNOR



RACHAEL WONG, DrPH
DIRECTOR

PANKAJ BHANOT
DEPUTY DIRECTOR

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

January 30, 2016

TO: The Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services

FROM: Rachael Wong, DrPH, Director

SUBJECT: **SB 2879 – RELATING TO FOSTER CHILDREN**

Hearing: Tuesday, February 02, 2016, 1:15 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill.

PURPOSE: The purpose of the bill is to bring the State into compliance with the federal Preventing Sex Trafficking and Strengthening Families Act of 2014 (PSTSF) and to effectuate its mandates; to establish qualified immunity for resource caregivers and child caring institutions; to require that resource caregivers and child care institutions use the reasonable and prudent parent standard when authorizing youth in foster care to participate in extracurricular, enrichment, and social activities; to require youth in foster care, fourteen years of age and older, be included in their case planning and informed of their rights and available options; and to update the terminology from "foster boarding home" to "resource family home" and "foster parents" to "resource caregivers."

The PSTSF Act requires resource caregivers and child care institutions to use the reasonable and prudent parent standard which is defined as "the standard characterized by

careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that a caregiver shall use when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities."

Providing qualified immunity from liability for resource caregivers and child caring institutions will protect and enhance their capacity to encourage and support children in foster care to participate in these activities.

Supporting normalcy and prudent parenting contributes to an environment that cares for the health, safety and well-being of children, while at the same time encouraging emotional, social, and cognitive development, resulting in constructive behavior, self-confidence, problem-solving skills, and positive relationships with peers and adults.

Prior to the PSTSF Act, youth ages 16 and over were required to be consulted in the development of their foster care plan. The PSTSF Act lowers the age to 14 in recognition that youth should be included earlier in the important process of case planning and be informed of their rights and options available to them. The positive impact of allowing youth to participate in developing their case and transitional plans promotes a sense of control over their life and future, identifies support and resources for the youth to reach positive outcomes, strengthens their self-sufficiency, and better prepares them for a successful transition out of foster care and into adulthood.

Finally, the change in terminology (foster parents to resource caregivers) is to promote the mindset and practice that caregivers of children in foster care are to provide care for the child and be a resource for the family by maintaining the child's familial relationships and connections that are safe and nurturing, especially with siblings.

Thank you for the opportunity to testify.



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Senate Committee on Human Services

Tuesday, February 2, 2016
State Capitol, Room 016

From: **Delia Ulima, Statewide Initiative Coordinator**
Hawaii Youth Opportunities Initiative, EPIC 'Ohana, Inc.
Re: **In SUPPORT of SB 2879**

Aloha! My name is Delia Ulima and I am a Statewide Initiative Coordinator for the Hawai'i Youth Opportunities Initiative. We are the local site for the national Jim Casey Youth Opportunities Initiative and EPIC 'Ohana is the lead agency for this Initiative in Hawai'i. The Initiative works with systems, such as the Department of Human Services, Child Welfare, Family Court and other service providers and partners within the public and private sector to create opportunities and support transitioning foster youth to successfully move into adulthood and become a contributing part of our community.

I would like to submit testimony in strong support of Senate Bill 2879 which expands opportunities for children and youth in foster care to be able to participate equally in age and developmentally appropriate extracurricular, social and cultural activities under the "reasonable and prudent parent" standard, as outlined in federal law. In short, this standard provides qualified immunity for resource caregivers (foster parents) to make decisions for children and youth in their care, just as they would for their own children. Caregivers would be able to give permission for their foster child to play on a sports team, enjoy a sleepover with a friend, or participate in a halau, without having to ask for social worker permission first. They would be trained and required to act as a reasonable parent would, asking the right questions, getting to know the child and his/her coaches, counselors, friends and other people in their life.

I have worked with foster youth for many years and the range of their foster care experiences vary greatly. Some were afforded the same opportunities as peers their age while many were restricted from sports and hanging with friends because of fear of liability if they were injured. These activities are what help young people grow, learn and develop in every way. They not only impact how they feel while they are in foster care but they impact what kind of social capital they develop and what kind of adult they will eventually become. Statistics and research show that young people who experienced foster care who were exposed to "normal" social and extracurricular activities experienced higher levels of well-being, a stronger sense of self-worth and a larger network of support and experience better outcomes as adults. This is something we want for all of Hawai'i's children.

As a professional who works with current and former foster youth and an adoptive mother of a former foster child, I believe this bill supports the resource caregivers, children and youth in foster care and all those who serve them. I strongly encourage this committee to support the passage of SB 2879.

Mahalo Nui Loa,

Delia Ulima

SB2879

Submitted on: 2/1/2016

Testimony for HMS on Feb 2, 2016 13:15PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Tochiki	EPIC Ohana	Support	No

I am writing in support of Senate Bill 2879 Relating to Foster Children. I am the President and CEO of EPIC 'Ohana, a non-profit organization that serves families and children in the child welfare system. EPIC is the lead agency of the Hawai'i Youth Opportunities Initiative which serves as Youth Advisory Council for the Department of Human Services and is a part of the national Jim Casey Youth Opportunities Initiative, and the Annie E. Casey Foundation. Our young leaders make up the HI HOPES Boards in every county.

This Bill helps the Department comply with federal law, but much more important, it helps the state of Hawai'i fulfill its duty to the young people taken into care. When a young person is put into foster care, the state asks them to put their lives on hold, sometimes indefinitely. Yet, the developmental process of a child does not stop while they are in care. We know that each day, month and year in care can have negative outcomes for young people in terms of the likelihood that they will continue their education, become parents before they are ready, become homeless, or encounter the criminal justice system.

In order to support the well-being of children in care we must not only look after their safety, we also have to look after their well-being. Providing normal and developmentally appropriate activities, such as employment, sports and social activities, guided by the prudent parent standard, will go a long way to helping our young people in care become productive and healthy citizens as adults.

We have to remember that these children are OUR children. Thank you so much for your consideration of this important step forward in helping foster children build a better future for themselves, and for all of us.



250 Vineyard Street
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FamilyProgramsHawaii.com

TO: Senator Suzanne Chun Oakland, Chair
Senator Gil Riviere, Vice Chair
Committee on Human Services

HEARING: Tuesday, February 2, 2016
1:15 PM
Conference Room 016

FROM: Judith Wilhoite
Family Advocate
It Takes An `Ohana

RE: SB2879 - Relating to Foster Children

Thank you for the opportunity to testify. I am the Family Advocate for Family Program Hawaii's It Takes An Ohana (ITAO) program and a resource caregiver. The ITAO Advisory Committee, made up of resource caregivers (formerly called foster parents) and adoptive parents support SB2879.

This bill will bring Hawaii in compliance with the Preventing Sex Trafficking and Strengthening Families Act (HR 4980) that was signed into law on September 29, 2014. It will give qualified immunity for resource caregivers and child caring institutions when they use reasonable and prudent parent standards when authorizing children in foster care to participate in NORMAL activities. Normalcy is crucial to healthy development in children and adolescents and includes engaging in age and developmentally appropriate experiences, opportunities, and activities.

Normalcy is important because foster children need the same experiences as biological children in order for them to succeed as they progress through their lives. Examples of crucial life skills children and teenagers develop when participating in age appropriate activities include responsibility, time-management, independence and resourcefulness.

SB2879 will also change the age from sixteen to fourteen years of age for children in foster care to be involved in their foster care plans. We support this change as it gives youth 2 additional years to plan a successful future.

Thank you for this opportunity to support SB2879.

We help kids



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TO: Senator Suzanne Chun Oakland, Chair
Senator Gil Riviere, Vice Chair
Committee on Human Services

HEARING: Tuesday, February 2, 2016
1:15 PM
Conference Room 016

FROM: Paulette M. Bethel, PhD, MPA
President and CEO

RE: SB2879 - Relating to Foster Children

Thank you for the opportunity to testify. I am the President and CEO for Family Program Hawaii. Family Programs Hawaii (formerly Foster Family Programs of Hawaii) is a 501(c)(3) social service agency dedicated to strengthening children and families involved in the child welfare system. FPH provides services to prevent children from entering foster care; supports children and families already involved in the foster care system; and assists youth transitioning out of foster care.

This bill will bring Hawaii in compliance with the Preventing Sex Trafficking and Strengthening Families Act (HR 4980) that was signed into law on September 29, 2014. It will give qualified immunity for resource caregivers and child caring institutions when they use reasonable and prudent parent standards when authorizing children in foster care to participate in developmentally appropriate, NORMAL activities.

When children are not able to participate in activities that are needed for normalized development they are hampered in achieving timelines considered essential for a successful adulthood. Normalcy is especially important because foster children need the same experiences as children being reared with their biological families in order for them to progress through their lives. Examples of crucial life skills children and teenagers develop when participating in age appropriate activities include responsibility, time-management, independence and resourcefulness.

SB2879 will also change the age from sixteen to fourteen years of age for children in foster care to be involved in their foster care plans. We support this change as it gives youth 2 additional years to plan a successful future.

Thank you for this opportunity to support SB SB2879.

We help kids

**TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) IN OPPOSITION TO S.B. NO. 2879**

Date: Tuesday, February 2, 2016

Time: 1:15 pm

To: Chair Suzanne Chun Oakland and Members of the Senate Committee on Human Services:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) in OPPOSITION to S.B. No. 2879, relating to Foster Children.

The Hawaii Association For Justice opposes the immunity from liability provision in section 3(m) on page 9, lines 13 – 22, because immunity from negligent conduct is unwarranted and bad public policy in the context of Foster Children. Foster children are especially vulnerable and, if anything, should be given extra protection not less protection.

HAJ recognizes that this measure is well intended and those that assist foster children do a great service for the welfare of foster children and for society in general. Although most people in child care institutions and resource families carry out their duties responsibly, there have been many cases of those who have failed the trust placed in them to properly care for foster children. It must be kept in mind that there is no automatic liability for those caring for foster children – there is liability only for conduct that is unreasonable or worse under current law. This section exempts conduct with “malicious purpose, in bad faith, or in a reckless manner.” However, the section still provides immunity for “unreasonable, negligent and grossly negligent” conduct.

The legal standards applicable to liability cases generally fall in four categories: 1) strict or absolute where liability is automatic, 2) reasonable where there is no liability, 3) unreasonable or negligent which is the current threshold for liability, and 4) gross negligence, malicious, reckless or intentional conduct where enhanced penalties may apply. Literally applied, the immunity section can be read to allow unreasonable, negligent and even grossly negligent conduct. It may not have been intended by the drafters to permit unreasonable, negligent or grossly negligent conduct but this is what the immunity section permits as currently drafted. This is inconsistent with the need to protect vulnerable foster children and provide meaningful

levels of responsibility for those who care for foster children. The most basic principles of fairness and oversight require deletion of the broad immunity provisions of this measure.

It is requested that the immunity section be deleted or amended to add “unreasonable, negligent, grossly negligent, intentional” before the words “with malicious purpose,” on page 9, line 21, to prohibit unreasonable, negligent and grossly negligent conduct in the care of foster children. There should be universal agreement that foster children are entitled to at least that level of protection.

Thank you very much for allowing me to testify regarding this measure. Please feel free to contact me should you have any questions or desire additional information.

To: Senate Committee on Human Services, February 2, 2016

From: Brayden Santiago, HI H.O.P.E.S. Youth Leadership Board (Kauai)

Re: Testimony in SUPPORT OF SB 2879

Good afternoon, my name is Brayden Santiago and I am a former foster youth. I am 23 years old and I am the vice president of the HI H.O.P.E.S Youth Leadership Board of the Hawaii Youth Opportunities Initiative on Kauai. HI H.O.P.E.S stands for Hawaii Helping Our People Envision Success. The HI H.O.P.E.S Youth Leadership Boards provides the youth voice for the Hawaii Youth Opportunities Initiative and serves as the Youth Advisory Council for DHS-Child Welfare Services. Our work involves us advocating for changes within the foster care system and increased opportunities for young people transitioning from foster care to adulthood.

I would like to submit testimony in support of Senate Bill 2879. This bill will help young people in foster care be treated more fairly and have more opportunities to act like a normal kid. It provides foster parents, or resource caregivers, with the chance to make decisions for the foster youth in their care like a normal, reasonable, caring parent would without being afraid of liability. This helps to promote healthy lifestyles choices for youth in care. It is important for foster youth to go out and participate in social activities and recreation during their time in care. It is also important for a foster child to be a part of their case plan at the age of 14 and to allow the foster youth to speak on their behalf when something is not going right in their lives. Having permanency or adoption as a goal before leaving foster care is part of this planning. Even though I had a great experience for the most part in the group home I was placed in, it had its ups and down. I was able to do things that other teenagers did, for the most part. Foster youth deserve a chance to do the healthy things that other young people their age do. These may include sleepovers, playing sports, owning their own things, and being treated with the same love and care as you would your children. I had a very good experience but I know that many of my fellow foster brothers and sisters didn't have the same. I got to have phone calls, visits with family and sleepovers. I also went to my school prom, participated in choir and color guard. I had fair discipline and developed the skills needed for when I became an adult. I was always a part of my decision-making and in the loop about what was next in the steps towards permanency. Because of this, I developed a strong social capital support network. A recent survey in Hawai'i showed that young people between ages 18-20 with low social capital had lower rates of stable housing (55%) compared with young people that had higher social capital (74%). This bill helps foster parents and foster youth. It can provide opportunities that will help young people develop into healthier, happier and more successful adults. I humbly ask this committee to please pass Senate Bill 2879. Mahalo!



To: Senate Committee on Human Services, February 2, 2016

From: GERNANI YUTOB JR., HI H.O.P.E.S Youth Leadership Board (Oahu)

Re: Testimony in SUPPORT of SB 2879

Aloha and Good Afternoon! My name is Gernani Yutob, Jr. I am 25 Years old and I am the President of the HI H.O.P.E.S. Youth Leadership Board of the Hawaii Youth Opportunities Initiative on Oahu. HI H.O.P.E.S. Stands for Hawaii Helping Our People Envision Success. As a Youth Leadership Board we advocate, educate and promote changes for young people transitioning from foster care to adulthood by working with youth and community partners.

I am writing in support of SB 2879 which promotes Prudent Parenting and Normalcy for foster youth in care. This opportunity promotes the well-being and developmental growth for young people in care by allowing youth to participate in age or developmentally appropriate activities.

When I was 15 years old I was sent to Central O'ahu Youth Services Association (COYSA), a group home on the North Shore. Youth are supposed to stay here for up to 90 days but I ended up staying for about 16 months because I wanted to remain in Leilehua High School (I finished the rest of my freshman year and ended up staying for my entire sophomore year). Group homes are typically strict and require permission from your social worker to do things such as going on visits with family, putting someone on your call list, etc. They feel a bit like jail because of such restrictions even though youth are typically placed in foster care through no fault of their own (they're either a victim of abuse and/or neglect).

During my sophomore year I had a crush on a girl in my Biology class. We spoke for a bit and I was able to get her number. Unfortunately I was not able to call her the same night because I had to explain to her that I live in a group home and that I needed permission from my social worker to put her on my "call list." It was a bit embarrassing but she understood. I then called my social worker, left a voicemail, and explained to her that I met a girl in my Biology class and asked if I could put her on my call list so that I could talk to her during "phone time." She called me back the next day and understood, but it felt really awkward explaining that situation to my female social worker. A lot of youth go through these same experiences of asking their social worker for the simple things that others take for granted. It feels really shameful. Youth should be able take healthy risks while they're in care so that it can help them when they become successful adults. If we hinder our youth with these skills how do we expect them to think for themselves when they become older?

In closing, I ask that you help support foster youth so they can be afforded the same opportunities and experiences as you would provide for your own children and I humbly ask that you pass Senate Bill 2879. Thank you for your time.



To: Senate Committee on Human Services, February 2, 2016

From: Kaitlyn Anderson, HI H.O.P.E.S. Youth Leadership Board (Kauai)

Re: Testimony in SUPPORT OF SB 2879

Aloha members of the Senate Committee on Human Services,

My name is Kaitlyn Anderson, I am 16 years old, I am a former foster youth and I am the secretary of the HI H.O.P.E.S. Youth Leadership Board of the Hawaii Youth Opportunities Initiative on Kauai. HI H.O.P.E.S. stands for Hawaii Helping Our People Envision Success and we are comprised of current and former foster youth between the ages of 14 and 26. Our work includes educating others on the needs of foster youth, collaborating with community partners, and most importantly, advocating for current and former foster youth.

I would like to submit testimony in SUPPORT of Senate Bill 2879, which promotes the federal reasonable and prudent parent standard and the well-being and normalcy for foster youth in care. It also "expands the opportunities for children in foster care to participate equally in age or developmentally appropriate extracurricular, social, and cultural activities as their classmates and peers in accordance with the 'reasonable and prudent parent standard'", as stated in the bill.

Many youth in foster care aren't allowed to participate in age-appropriate activities. As a result of this, young people feel like they can't "fit in" and be normal and this affects their social development which can impact them well into adulthood. Simple extracurricular activities like joining a club or participating on a sports team can play a huge role in providing appropriate and healthy development opportunities for young people and many foster youth are restricted from these opportunities because foster parents and social workers are afraid they'll get hurt.

Currently, only 12% of foster youth have a driver's license. Most youth in care aren't able to obtain a driver's license due to liability factors. When I was in foster care, all my peers were coming to the age where they could obtain a permit and I was denied the opportunity. I felt like I was being held back from a normal and age-appropriate opportunity. Other than that, I was very fortunate to have supportive foster parents. Although obtaining permission from my social worker did take time, I was able to get approval for things like joining my school's soccer team and to join different clubs. This gave me a sense of feeling normal and helped my social development which I know will be a positive impact on my adulthood. If foster parents can make those reasonable decision without having to wait for social worker approval, it would make things much better for them and the foster youth they care for.

In closing, I would like to ask that foster youth be given the same opportunities as their peers and classmates. I ask that this committee support and pass Senate Bill 2879. Mahalo.



To: Senate Committee on Human Services, February 2, 2016

From: KEOLA LIMKIN, HI H.O.P.E.S. Youth Leadership Board (Oahu)

Re: Testimony in SUPPORT OF SB 2879

Good afternoon distinguished members of the Senate Committee on Human Services. My name is Keola Limkin. I am 24 years old and I am the Vice-President elect of the HI H.O.P.E.S Youth Leadership Board on O‘ahu. HI H.O.P.E.S stands for Hawai‘i Helping Our People Envision Success. The HI H.O.P.E.S Youth Leadership Boards provides the youth voice for the Hawai‘i Youth Opportunities Initiative and serves as the Youth Advisory Council for DHS-Child Welfare Services. Our mission includes advocating for positive changes within the foster care system and to increase opportunities for young people transitioning from foster care to adulthood.

I would like to submit testimony in strong support of Senate Bill 2879 which expands the opportunities for children in foster care to participate equally in age or developmentally appropriate extracurricular, social, and cultural activities as their classmates and peers in accordance with the “reasonable and prudent parent standard.” This is a great opportunity to promote appropriate and healthy development for youth in foster care.

Although there are many great foster homes, there are many foster parents who don’t allow their foster children to do things like play sports or go to a friend’s house because they are worried about liability if something happens to the child. These activities are part of a child’s healthy upbringing and impact what kind of adults we become. Our well-being is impacted when we aren’t afforded the same opportunities as our peers. This bill helps to provide foster parents the chance to feel comfortable and supported in allowing the children and youth in their care to be treated like their own.

During my stay in foster care, my foster dad did a lot to allow me the privilege of a very normal life. He encouraged me to join a variety of sports such as soccer, judo, and wrestling. I was also able to join the Leo club at my local high school in Hilo. My foster dad went as far as to provide me with adequate transportation even though we lived far away from my high school. I felt blessed to have had these activities to develop my health, strengthen my communication, and increase my social capital of peers, classmates, teachers and coaches. My foster dad’s unconditional love toward me was one of the best benefits of my life.

As I come to a finish, I ask that you support new generations of foster youth in experiencing the best amount of well-being and as normal a life as possible. Let’s move forward with creating a stronger community and pass Senate Bill 2879. Thank you very much for your time.



To: Senate Committee on Human Services, February 2, 2016

From: Noy Worachit, HI H.O.P.E.S. Youth Leadership Board (Oahu)

Re: Testimony in SUPPORT OF SB 2879

Good afternoon members of the Senate Committee on Human Services. My name is Noy Worachit, I am 22 years old and I am the Vice-President of the HI H.O.P.E.S. Youth Leadership Board of the Hawaii Youth Opportunities Initiative on Oahu. HI H.O.P.E.S. stands for Hawaii Helping Our People Envision Success. The HI H.O.P.E.S. Youth Leadership Board provides the youth voice for the Hawaii Youth Opportunities Initiative. Our work includes identifying needs of transitioning foster youth, educating stake holders and advocating for public will and policy changes.

I would like to submit testimony in SUPPORT of Senate Bill 2879, which promotes Prudent Parenting and Normalcy for Foster Youth in Care. This is an opportunity to promote well-being and healthy youth development for young people in foster care.

Young people are placed into foster care through no fault of their own, but are not treated as such. Why are foster children being deprived of the opportunity to become successful and healthy adults by not being afforded the same opportunities as their peers? Youth in foster care should be given the opportunity to work, play sports, date, own a cell phone, and have sleep overs at their friend's home, just like any other child. Resource caregivers should also be allowed to exercise their prudent parenting decision making on these opportunities without having to consult with a social worker. When the resource caregiver has to go through a long approval process for these things, it hinders healthy social development and ultimately the young people suffer the consequences well into adulthood.

Currently, only 11% of youth in care between the ages of 14 and 17 are employed. This is no surprise that only 52% of young people are employed as adults between the ages of 18-25. While I was in foster care, my resource caregivers not only allowed me to work, but they wholeheartedly encouraged it. They helped me to care for my daughter while I worked and would even pick me up if I was working a late shift. I was given the opportunity to learn what it meant to earn something versus being entitled to it. From a young age I was able to develop a strong work ethic, learn interpersonal skills, gained a network of supportive adult relationships, and became a contributing member to society and my community. Since I have started working, I have not gone a single day unemployed. I have been very fortunate to have worked with one employer for nearly five years and recently as an on-call employee. I am currently employed with the United States Air Force as an Aircraft Analyst. I believe that my work experience early on has made me very marketable. Having earning power is one step in the right direction to breaking the vicious cycle of poverty. Having earning power is empowering! In closing, I ask that you afford us the same opportunities as you would for your own children and I ask this committee to support the intent of and pass Senate Bill 2879. Thank you very much.



To: Senate Committee on Human Services, February 2, 2016
From: PATRICIA DUH, HI H.O.P.E.S Youth Leadership Board (Kauai)
Re: Testimony in SUPPORT of SB 2879

Good afternoon, my name is Patricia Duh. I am 20 years old and I am the president of the HI H.O.P.E.S Youth Leadership Board of the Hawaii Youth Opportunities Initiative on Kauai. HI H.O.P.E.S stands for Hawaii Helping Our People Envision Success. The HI H.O.P.E.S Youth Leadership Boards provides the youth voice for the Hawaii Youth Opportunities Initiative and serves as the Youth Advisory Council for DHS-Child Welfare Services. Our work involves us advocating for changes within the foster care systems and increased opportunities for young people transitioning from foster care to adulthood.

I would like to submit testimony in support of Senate Bill 2879 which expands the opportunities for children in foster care to participate equally in age or developmentally appropriate extracurricular, social, and cultural activities as their classmates and peers in accordance with the “reasonable and prudent parent standard.” This is a great opportunity to promote appropriate and healthy development for youth in foster care.

When youth are placed into foster care, they already feel different because they are in an unfamiliar environment, may be moved into a new school, and are taken away from their family. What makes this situation worse is that majority of the foster youth placed into care are deprived of the opportunity to have a normal life. My reference to a normal life includes being able to have a cellphone, play sports, date, sleepovers, obtain their driver’s license, cut their hair, and so much more. On top of foster youth being given the opportunity to have normal experiences as their peers, resource caregivers should be allowed to exercise their prudent parenting decision making on these opportunities without having to get permission from a social worker or judge. When the foster parents (resource caregivers) of the foster youth have to wait for an approval of the social worker, sometimes it takes so long that the opportunity has passed.

Currently, only 12% of youth in foster care surveyed had a driver's license. Being able to obtain a driver’s license is a huge step into adulthood because transportation is important for employment, education, health, etc. I wasn’t able to obtain a permit, attend driver’s education, or get my driver’s license when I was in care. My foster parents fought for me to be able to get one but we were always turned down by my social worker due to liability factors. I feel very fortunate to only have not been able to get a driver’s license because I was able to have a cell phone, participate in after school activities such as marching band, kempo karate, and my church youth night every Fridays. I feel that because I had opportunity to have a normal experience growing up, that I was able to develop great social skills, gained strong and supportive adult relationships, and so much more. Thanks to having a normal life growing up, I will be graduating college this semester, I am raising my daughter to become a brilliant young woman, and am also able to advocate for my rights and help advocate for the rights of others.

In closing, I ask that you give us the same opportunities that you and I would give for our own children and I ask that you support the intent of and pass Senate Bill 2879. Thank you for your time.



To: Senate Committee on Human Services, February 2, 2016
From: SAMANTHA U'U, HI H.O.P.E.S Youth Leadership Board (Maui)
Re: Testimony in SUPPORT of SB 2879

Aloha and good afternoon, my name is Samantha U'u. I am 22 years old and I am the Vice President of the HI H.O.P.E.S Youth Leadership Board of the Hawaii Youth Opportunity Initiative on Maui. HI H.O.P.E.S stands for Hawaii Helping Our People Envision Success. As a Youth Leadership Board we advocate, educate and promote changes for young people transitioning from foster care to adulthood by working collaboratively with youth and community partners. I would like to submit a testimony in support of Senate Bill 2879 which promotes Prudent Parenting and Normalcy for foster youth in care. This opportunity promotes the well-being and the developmental growth for young people in care.

When young people are placed in care, they have to adapt to the changes that lay ahead of them. The changes that could occur are separation from family, being placed in a new school and environment, having to make new connections, and feeling what it is like to be thrown into a world that you're not prepared for. Youth are placed in situations that were not asked for and yet they are still deprived of opportunities where they can grow and develop. The opportunities that I am referring to is interaction with friends and community, being able to obtain a license, being able to play sports, having housing options, to be able to have a cell phone, and so on. Resource caregivers should also be allowed to make decisions like a normal parent for simple things without consulting a social worker. Having to wait for an approval by social worker could take days or even months. From just waiting for the long process to be approved it could hinder developmental growth of the youth. I played sports in school but was prevented from doing that when my resource caregivers at the time wouldn't support my athletics and didn't transport me to and from practice. That is something that parents would do for their own children.

Currently, only 55% of young people in care with low social capital between the ages of 18 and 20 have safe, stable, and affordable housing compared to 74% that have high social capital. When I was 18 and aged out of care I was fortunate enough to still live with my resource caregiver, but I really didn't have a choice. No one told me that after 18 you were going to be put out. I wasn't prepared for such an impact, however I am grateful to my resource caregiver for the opportunity of being housed, but I wished I could have had more options to choose from as a youth. The problem was that I had no one to rely on and no way of knowing the options that I had because my social capital was limited to only school and my resource caregiver. It taught me how important it is to keep connected with people in the community, how important it is to have and build a supportive network that will have your best interest, and to be independent. I hope that no other youth in care has to go through the experiences that I went through. Housing is a very important factor to have for keeping our youth out of the streets and being homeless. Having social capital will not only increase your network, but the housing options increases your chances in finding the right house that fits you best which leads to better decision making for your future home.

In closing, I ask that you afford us the same opportunities as you would for your own children and I ask this committee to pass Senate Bill 2879. Thank you for your time.



To: Senate Committee on Human Services, February 2, 2016

From: Stephanie Kim, HI H.O.P.E.S. Youth Leadership Board (Oahu)

Re: Testimony in SUPPORT OF SB 2879

Aloha members of the Senate Committee on Human Services,

My name is Stephanie Kim, 21 years old, and I am a former foster youth who was in care for 6 years before emancipating at age 18. I am a board member of the HI H.O.P.E.S. Youth Leadership Board of the Hawaii Youth Opportunities Initiative on Oahu. HI H.O.P.E.S. stands for Hawaii Helping Our People Envision Success and we are comprised of current and former foster youth between the ages of 14 and 26. Our work includes educating others on the needs of foster youth, collaborating with community partners, and most importantly, advocating for current and former foster youth.

I would like to submit testimony in SUPPORT of Senate Bill 2879, which promotes the federal reasonable and prudent parent standard and the well-being and normalcy for foster youth in care. It also “expands the opportunities for children in foster care to participate equally in age or developmentally appropriate extracurricular, social, and cultural activities as their classmates and peers in accordance with the ‘reasonable and prudent parent standard’”, as stated in the bill.

There are 2,231 children in foster care in Hawaii (in a given year) and of those youth in care, 335 are between the ages of 12 and 17. These youth are adolescents and should be allowed to participate in age and developmentally appropriate activities, such as sleeping over a friend’s house, joining a club or sport, and owning a cell phone. Youth should be able to take part in healthy risk-taking, which allows them to gain independence and learn from their mistakes, simply things that are a part of life. Foster youth have been so unlucky to be placed in care at no fault of their own and kept away from the experiences that their peers have.

When I was in foster care, I wasn’t allowed to join clubs or hang out with my friends after school. I simply went home right after and did my homework. I was a good kid that got good grades and was respectful, yet I wasn’t allowed to socialize with my friends and classmates outside of a school setting. It wasn’t until I moved to a different home that I was allowed to get a job after school and join a club if I wanted to. My resource caregiver, at the time, would pick me up when I finished. Because I was allowed to get a job, it prepared me for future job applications and interviews, it taught me how to act in a workplace environment, and it gave me independence skills that are absolutely necessary for a 17 year old about to become a legal adult. Foster youth today should be able to participate in activities, just like their peers, because it will help them gain skills, learn about themselves, and be able to have fun.

In closing, I would like to ask that foster youth be given the same opportunities as their peers and classmates. I ask that this committee support and pass Senate Bill 2879. Mahalo.



To: Senate Committee on Human Services, February 2, 2016

From: TIFFANY DARRAGH, HI H.O.P.E.S Youth Leadership Board (Maui)

Re: Testimony in SUPPORT of SB 2879

Aloha and Good Afternoon! My name is Tiffany Darragh, I am 21 Years old and I am the President of the HI H.O.P.E.S. Youth Leadership Board of the Hawaii Youth Opportunities Initiative on Maui. HI H.O.P.E.S. Stands for Hawaii Helping Our People Envision Success. As a Youth Leadership Board we advocate, educate and promote changes for young people transitioning from foster care to adulthood by working with youth and community partners. I am writing in support of SB 2879 which promotes Prudent Parenting and Normalcy for foster youth in care. This opportunity promotes the well-being and developmental growth for young people in care by allowing youth to participate in age or developmentally appropriate activities.

When youth are placed in care, they already feel like they are different or unwanted because they aren't with their families. Some youth are moved to new schools, some are taken away from siblings or unable to maintain any family connections. Youth in care typically aren't able to even participate in extracurricular activities or do anything that youth with their biological families would call normal. When we think of a normal life for youth it includes being able to participate in sports either in school or club sports, it includes being able to sleep over at a friends' house without having to get a full background check done and approval from social workers and everyone else who isn't with you every single day. Normalcy includes being able to cut your hair when you want to try something different, being able to get a job or even getting your driver's license. All of these things should be a decision made by parents or resource caregivers/guardians. When you have to go get approval from your social worker, at times it takes up to a month or more and by that time you don't even want to deal with it anymore.

Currently, 12% of youth in care surveyed in the opportunity passport program said they have a driver's license. That's 88% of youth in care who have not been given the opportunity to learn how to drive. I understand that driving can be dangerous and some resource caregivers may not want to be responsible for anything, but transportation is very important when transitioning from youth to adulthood. Having access to transportation not only makes the youth feel trusted but also gives the youth the access to other opportunities like getting a better job that may be a farther distance from home, going to college if they live further from campus, drive themselves to doctors' appointments and dentist appointments etc.

I was fortunate enough to have the opportunity to get my permit and participate in drivers' education when I was a junior in high school. I was able to work more days out of the week my senior year in high school because I bought my own car and was able to drive myself without having to work around everyone's busy schedule. After high school, having a car really paid off when I started college because I lived far from the college. If I was not given the opportunity and the trust that I felt I deserved, I feel that it would be difficult to do it all on my own. With the trust that allowed me to go beyond even my own expectations of myself I now have a great job that gives me great opportunities and I am able to advocate for the future generations of youth so they may have all the opportunities they deserve.

In closing, I ask that you afford us the same opportunities as you would for your own children and I ask that you pass this Senate Bill 2879. Thank you for your time.



To: Senate Committee on Human Services, February 2, 2016
From: TUAN GIANG., HI H.O.P.E.S Youth Leadership Board (East Hawai'i-Hilo)
Re: Testimony in SUPPORT of SB 2879

Good afternoon! My name is Tuan Giang and I am a board member of the HI HOPES Youth Leadership Board in Hilo. As a member of the board and a former foster youth, I would like to submit my testimony for Senate Bill 2879.

I was born and raised in Vietnam and I was 8 years old when my mother and I immigrated to America. When I was 12 years old, my mother was deemed unfit to take care of me and I entered foster care. I entered my first foster home with a sadness that I cannot describe from being separated from my mother who independently took care of me for all of my life. I remembered that night I thought myself that I would never be normal again and that the “foster kid” status was branded upon me. In addition to the emotions that I felt, there were conflicting cultural views that made did not help my transition into foster care. Every day in my first foster home, I woke up to a bowl of cheerios and milk. This was a shock to me because I had never eaten cereal and milk before coming to America. I had asked my foster parents for one thing – saimin with an egg. They denied my request and I was very depressed. This meal is something that my mother made for me every weekend in the morning for as long as I could remember. From Vietnam to America, it was something that I could always look forward on a Saturday and Sunday morning. I am sure they meant well because it probably was not the healthiest to eat every day in the morning. But, at that time, I missed my mother very much and I was questioning whether or not my life would be normal again.

Thankfully, I was able to find a home where I felt normal. I arrived at my third foster home when I was 15 years old. My foster parents, who I now call mom and dad, have been supporting me ever since. They have supported me in various ways. They let me eat saimin in the morning with an egg. It was the first time where a family trip included me. I was able to get my driver's license with their help and I am fortunate to be in the 12% of all foster youths that is able to obtain this. They helped me pay for my senior prom and allowed me to attend it with my best friends that I still keep in close contact today. More importantly, they helped me feel normal again and forget about that “foster care” status that I branded myself.

I urge everyone to support the intent of SB 2879. The bill will help improve the conditions of foster youths in care. Give these youths the opportunity and chance to pursue the normal means of life, not limiting them, in hope of a better future. From a bowl of saimin with egg to going to senior prom, the feeling of normalcy is the same no matter how small is the act.

In closing, I ask that you help support foster youth so they can be afforded the same opportunities and experiences as you would provide for your own children and I humbly ask that you pass Senate Bill 2879. Thank you for your time.

