

### **SCR27/SR16**

REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN COORDINATION WITH THE DEPARTMENT OF HEALTH, TO COLLECT DATA ON LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER OR QUESTIONING, PANSEXUAL, ASEXUAL, GENDER NON-CONFORMING, AND INTERSEX YOUTH WHO ARE UNDER THE SUPERVISION OF THE COURTS AND THE HAWAII YOUTH CORRECTIONAL FACILITY

Ke Kōmike 'Aha Kenekoa o ka Lawelawe Kānaka Senate Committee on Human Services

Malaki 23, 2021 3:10 p.m. Lumi 225

The Office of Hawaiian Affairs (OHA) **SUPPORTS** SCR27/SR16, which requests the Department of Human Services, in coordination with the Department of Health, to collect data on lesbian, gay, bisexual, transgender, queer or questioning, pansexual, asexual, gender nonconforming or intersex (LGBTQIA+) youth who are under the supervision of the courts or the Kawailoa Youth and Family Wellness Center (formerly known as Hawai'i Youth Correctional Facility). **SCR27/SR16** offers an opportunity to collect data that can improve policymaking decisions to address the current disparate experiences of vulnerable LGBTQ youth in Hawai'i.

Lesbian, Gay, Bisexual, and Transgender ("LGBT") people have deep roots in traditional Hawaiian society, and remain a significant but often unacknowledged part of Hawai'i's community today. Hawaiian culture has a rich history of gender diversity and acceptance of those who would now be considered lesbian, gay, bisexual, transgender, or gender non-conforming. In pre-colonial Hawaiian culture and society, aikāne and māhū were even revered and maintained special roles in society and in certain cultural practices.<sup>1</sup>

Unfortunately, our community today does not meaningfully acknowledge and accommodate our lesbian, gay, bisexual, transgender, and gender non-conforming communities, resulting in various forms of systemic and invidious discrimination not reflective of Hawai'i's cultural history and traditional values, and that may have a particularly significant impact on Native Hawaiians who are highly represented among our LGBTQ youth. Currently, over 1 in 10 public high school students in the state identify as LGBQ (including youth who are "questioning" their sexuality), with 22% of these youth being Native Hawaiian.<sup>2</sup> Three percent of Hawai'i's high-school-aged youth identify as transgender, with 25% of these youth being Native

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<sup>&</sup>lt;sup>1</sup> See, e.g., Noenoe Silva, Aloha Betrayed: Native Hawaiian Resistance to American Colonialism (2004); Lilikalā Kameʻeleihiwa, Leʻaleʻa o na Kupuna: Traditional Hawaiian Sexuality, Ke Ola Mamo Conference (1999); Keith Bettinger, Historically Speaking: A quick look at homosexuality and gender roles in pre-contact Hawaiʻi, Honolulu Weekly (Jun. 20-26, 2007).

<sup>&</sup>lt;sup>2</sup> HAWAI'I STATE DEPARTMENT OF HEALTH, HAWAI'I SEXUAL & GENDER MINORITY HEALTH REPORT 2017 14 (2017), available at <a href="https://health.hawaii.gov/surveillance/files/2017/05/HawaiiSexualandGenderMinorityHealthReport.pdf">https://health.hawaii.gov/surveillance/files/2017/05/HawaiiSexualandGenderMinorityHealthReport.pdf</a>.

Hawaiian.<sup>3</sup> Hawaii's LGBTQ youth suffer from poor access to healthcare and health outcomes,<sup>4</sup> high incidence of substance abuse,<sup>5</sup> high incidence of sexual and emotional abuse by a partner,<sup>6</sup> bullying in schools and poor educational outcomes,<sup>7</sup> and poor mental health with high rates of self-harm and suicidal ideation.<sup>8</sup> Also, despite a notable presence in Hawaii, nearly half of all transgender youth live in unstable housing situations compared to only six percent of cisgender youth.<sup>9</sup> All of these minority stress factors may lead to LGBTQIA+ youth involvement with the courts and correctional system.

By establishing LGBTQIA+ data collection practices in the juvenile juwstice system, this measure would help to inform the State's policymaking and programming with respect to our LGBTQIA+ community, and better ensure that policies and programs can address the unique needs of our most vulnerable LGBTQIA+ youth. Notably, the exclusion of LGBTQIA+ people from consideration or recognition in government policies and programs may not only perpetuate such adversities, but may also limit our society from realizing and benefiting from its members' true and full potential. Accordingly, this measure would take an important first step toward better supporting this segment of our community and improving their lives, and benefit our society as a whole.

Accordingly, OHA urges the Committee to **PASS** SCR27/SR16. Mahalo piha for the opportunity to testify on this measure.

<sup>&</sup>lt;sup>3</sup> Hawai'i State Department of Health, Hawai'i Sexual and Gender Minority Health Report 2018: A Focus on Transgender Youth, 24 (2018) *available at* 

https://health.hawaii.gov/surveillance/files/2018/09/HawaiiSexualandGenderMinorityHealthReport2018.pdf. Over 3% of adults in Hawaiii also identify as LGB, with approximately 18% of the adult LGB population being Native Hawaiian. *Id.* at 26. Moreover, Hawaiii has the highest proportion of its population composed of transgender adults among the 50 states. WILLIAMS INSTITUTE, HOW MANY ADULTS IDENTIFY AS TRANSGENDER IN THE UNITED STATES? 3 (2016). <sup>4</sup> *Supra* note 2 at 15-16.

<sup>&</sup>lt;sup>5</sup> *Id.* at 18.

<sup>&</sup>lt;sup>6</sup> *Id.* at 20.

<sup>&</sup>lt;sup>7</sup> *Id.* at 20 & 25.

<sup>&</sup>lt;sup>8</sup> *Id.* at 22.

<sup>&</sup>lt;sup>9</sup> *Id*.



BRUCE SHIMODA EXECUTIVE DIRECTOR

MARK K. PATTERSON ADMINISTRATOR

PHONE: (808) 266-9500 FAX: (808) 266-9506

## STATE OF HAWAII

DEPARTMENT OF HUMAN SERVICES

OFFICE OF YOUTH SERVICES HAWAII YOUTH CORRECTIONAL FACILITY 42-470 KALANIANAOLE HIGHWAY KAILUA, HAWAII 96734

March 19, 2021

TO: Senator Joy A. San Buenaventura, Chair

Senate Committee on Human Services

Hawaii State Capitol, Room 213

Senator Les Ihara Jr., Vice-Chair

Senate Committee on Human Services

Hawaii State Capitol, Room 220

FROM: Mark Patterson, Administrator

Kawailoa Youth and Family Wellness Center, Office of Youth Services

SUBJECT: SCR27

POSITION: The Office of Youth Services supports the intent of this resolution.

PURPOSE: Requesting the Department of Human Services, in coordination with the Department of Health, to collect data on Lesbian, Gay, Bisexual, Transgender, Queer, or Questioning, Pansexual, Asexual, Gender Non-Conforming, and Intersex Youth who are under the supervision of the courts and the Hawaii Youth Correctional Facility.

It is important as a state that we begin documenting statistics on this vulnerable population.

- We need more information on lesbian, gay, bisexual, transgender, queer or questioning, and intersex youth who go through the juvenile courts/system because no data collection efforts have been made so far and these are some of our most vulnerable youth populations.
- The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration.

- National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized.
- A 2018 Hawai'i study found about 300 homeless youth statewide, about half living on their own. The Partners in Care Street Youth Study in 2018 showed over 80% of those aged 12-17 were Hawaiian or part-Hawaiian or other Pacific Islander. Twenty-one percent identified as differently gendered, and over 58% had attempted suicide.

Information collected by the Department of Human Services will be critical in understand this undocumented population pathways through our state systems and key to the development of appropriate response in social services and evidence-based practices.

Thank You

Mark Patterson

CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR



# STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES

P. O. Box 339 Honolulu, Hawaii 96809-0339

March 22, 2021

TO: The Honorable Senator Joy San Buenaventura, Chair

Senate Committee on Human Services

FROM: Cathy Betts, Director

SUBJECT: SCR27/SR16 - REQUESTING THE DEPARTMENT OF HUMAN SERVICES, IN

COORDINATION WITH THE DEPARTMENT OF HEALTH, TO COLLECT DATA ON

LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER OR QUESTIONING,

PANSEXUAL, ASEXUAL, GENDER NON-CONFORMING, AND INTERSEX YOUTH WHO ARE UNDER THE SUPERVISION OF THE COURTS AND THE HAWAII YOUTH

**CORRECTIONAL FACILITY.** 

Hearing: March 23, 2021, 3:10 p.m.

Via Videoconference, State Capitol

**DEPARTMENT'S POSITION**: The Department of Human Services appreciates the intent of these resolutions and provide comments.

<u>PURPOSE</u>: The purpose of these resolutions requests the department of human services, in coordination with the department of health, to collect data on lesbian, gay, bisexual, transgender, queer or questioning, pansexual, asexual, gender non-conforming, and intersex youth who are under the supervision of the courts and the Hawaii Youth Correctional Facility.

DHS will work with the Department of Health, the Hawaii Youth Correctional Facility, and constituents to determine the best approach to begin collecting the requested data while respecting the minors' and youths' right to privacy.

However, to do this and other needed work for Hawaii's youth, DHS, the Office of Youth Services, and the Hawaii Youth Correctional Facility must be funded appropriately with staff

and programmatic resources to work towards new and innovative programming as well as to maintain existing services. The Department cannot continue to sustain dramatic reductions in funding and staff and address the existing and growing needs of Hawaii's residents.

Thank you for the opportunity to provide testimony on these resolutions.

Submitted on: 3/19/2021 10:49:00 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Golojuch Jr	Testifying for LGBT Caucus of the Democratic Party of Hawaii	Support	No

### Comments:

Aloha Senators,

The LGBT Caucus of the Democratic Party of Hawaii, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports SCR 27.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i

<u>SCR-27</u> Submitted on: 3/19/2021 1:41:35 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Testifying for Pride @ Work - Hawaii	Support	No

### Comments:

Aloha Senators,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, fully supports SCR 27.

Mahalo nui loa,

Pride at Work - Hawai'i

<u>SCR-27</u> Submitted on: 3/20/2021 12:42:31 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	No

## Comments:

Rainbow Family 808 definitely supports SCR27. Please pass this resolution. Thank you.

Mike Golojuch, Sr. Secretary, Rainbow Family 808

<u>SCR-27</u> Submitted on: 3/21/2021 2:53:38 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Testifying for Planned Parenthood Votes Northwest and Hawaii	Support	No

## Comments:

Planned Parenthood Votes Northwest and Hawaii supports SCR 27.

Submitted on: 3/19/2021 10:18:20 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Oppose	No

### Comments:

I'm sorry but this is so inappropriate & misplaced at this date & time. Resources & efforts need to be made first on employment, housing, homeless and HEALTH - remember we've got a pandemic going on? Once life is back to normal, by all means look into this issue but NOT NOW - PLEASE put your time, energy & efforts into solving bigger problems first. Thank you ~

<u>SCR-27</u> Submitted on: 3/19/2021 11:06:07 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kevin landers	Individual	Support	No

## Comments:

A disproportionate amount of our LBGTQ youth show significant risk factors for incarceration, data will continue to demonstrate these disparities.

## Speak

Submitted on: 3/19/2021 3:30:31 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jacquie Esser	Individual	Support	No

#### Comments:

I strongly support this bill. Both national and local studies and reports show that LGBTQ+ youth often face significant challenges when navigating the criminal legal system. I have personally seen as deputy public defender that the criminal legal system can be overtly hostile to our LTBTQ+ youth community, especially transgender individuals. Harassment and/or brutaily while incarcerated, and at all stages of the criminal legal system, is common. Please pass this mesaure to ensure our LGBTQ+ are counted and best served.

Submitted on: 3/19/2021 9:22:40 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lorenzo Perillo	Individual	Support	No

### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR218/SR178. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

Dr. Lorenzo Perillo

Submitted on: 3/20/2021 4:22:09 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Itai Bradshaw-Lang	Individual	Support	No

#### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR218/SR178. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

Itai Bradshaw-Lang, BSN, RN

Submitted on: 3/20/2021 10:36:01 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Thaddeus Pham	Individual	Support	No	

Comments:

Aloha HMS Committee,

As a public health professional and concerned community member, I urge you to **pass SCR27 without amendments**.

The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority</u>
<u>Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. This measure will help ensure our LGBTQ youth are counted, so they can be best served.

I personally collaborate with many local LGBTQIA+ community members and agencies, who have contributed to the development of this measure in its current form. **Please** pass this resolution as it is.

With aloha,

Thaddeus Pham (he/him)

Submitted on: 3/20/2021 12:12:31 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Tomita	Individual	Support	No

### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR218/SR178. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Submitted on: 3/21/2021 9:47:46 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Jen Jenkins	Individual	Support	No	

#### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR218/SR178. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

Jen Jenkins

Submitted on: 3/21/2021 9:53:52 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shayna Lonoaea Alexander	Individual	Support	No

#### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR218/SR178. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

Shayna Lonoaea Alexander

<u>SCR-27</u> Submitted on: 3/21/2021 7:18:19 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Sharde Freitas	Individual	Support	No	

Comments:

Support

Submitted on: 3/21/2021 10:55:29 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Carrie Ann Shirota	Individual	Support	No	

#### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara and Committee Members,

Please pass SB27 to ensure that the Department of Human Services in collaboration with the Department of Health collect data on LGBTQ youth to accurately reflect their numbers under judicial supervision and the custody of the Hawaii Youth Correctional Facility.

Based on past DOH health reports, we know that LGBTQ youth are disparately subjected to punishment in the criminal system and have higher risk factors for incarceration.

In order to meet the needs of our LGBTQ youth, including diversion from unjust incarceration, we must have accurate data as a first step to implementing targeted interventions.

Please pass SCR24.

Sincerely, Carrie Ann Shirota, Esq.

<u>SCR-27</u> Submitted on: 3/22/2021 6:52:43 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kamaile Maldonado	Individual	Support	No

### Comments:

Please PASS SCR27. This data is imperative to ensure we are serving the critical needs of our most vulnerable populations, especially justice-involved LGBTQI+ youth. Mahalo nui.

Submitted on: 3/22/2021 7:41:34 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tami Whitney	Individual	Support	No

#### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR218/SR178. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Thank you,

Tami Whitney

Submitted on: 3/22/2021 8:07:53 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nikki-Ann Yee	Individual	Support	No

### Comments:

Please pass SCR218/SR178. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

<u>SCR-27</u> Submitted on: 3/22/2021 8:12:06 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
Kamuela Werner	Individual	Support	No	

Comments:

Aloha:

I strongly support SCR27.

Me ke aloha,

Kamuela Werner

Submitted on: 3/22/2021 8:18:50 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kunane Dreier	Individual	Support	No

#### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR27/SR16. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

Kunane Dreier

Submitted on: 3/22/2021 8:23:28 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing	
William Kopp	Individual	Support	No	

### Comments:

Aloha Chair San Buenaventura, Vice Chair Ihara, and Honorable Members,

Please pass SCR27/SR16. The 2017 and 2018 <u>Hawai'i Department of Health's Sexual and Gender Minority Reports</u> showed that a disproportionate amount of our LBGTQ youth show significant risk factors for incarceration. National studies and <u>reports</u> show that LGBTQ youth are often unjustly criminalized. Please pass this measure to ensure our LGBTQ are counted, so they can be best served.

Mahalo,

WIlliam Kopp

<u>SCR-27</u> Submitted on: 3/22/2021 9:55:56 AM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Raelyn Reyno Yeomans	Individual	Support	No

Comments:

Support!

<u>SCR-27</u> Submitted on: 3/22/2021 4:15:36 PM

Testimony for HMS on 3/23/2021 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eileen McKee	Individual	Support	No

Comments:

I support SCR27.

Mahalo for considering my testimony.

Eileen McKee

Kihei

