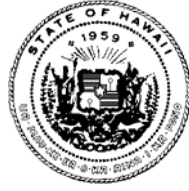


JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



CATHY BETTS  
DIRECTOR  
KA LUNA HO'OKELE

JOSEPH CAMPOS II  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELAWE KANAKA  
Office of the Director  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

January 28, 2023

TO: The Honorable Senator Joy A. San Buenaventura, Chair  
Senate Committee on Health & Human Services

FROM: Cathy Betts, Director

SUBJECT: [SB 294](#) – RELATING TO THE CHILD WELFARE SERVICES.

Hearing: January 30, 2023, 1:00 p.m.  
Conference Room 225 & Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) provides comments and defers to the Department of Health (DOH), the Hawaii Community Foundation, and the Office of Wellness & Resilience.

**PURPOSE:** This bill establishes under the Hawaii Children's Trust Fund Coalition a collective impact program called the Malama 'Ohana Program to seek, design, and recommend transformative changes to the State's existing child welfare system. Requires the Malama 'Ohana Program to report to the legislature before the Regular Session of 2025. Appropriates funds.

DHS is a Hawaii Children's Trust Fund Coalition member and works collaboratively with DOH, the Hawaii Community Foundation, and other community partners and stakeholders. In addition, DHS supports the community's efforts to help strengthen the child welfare system of care. The system of care involves community advocates, service providers, national and local subject matter experts, DHS, DOH, the Department of Education, the Judiciary, and law

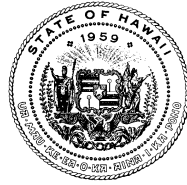
enforcement. DHS also works with those we serve; those with lived experience; former foster youth, birth parents, relatives, and resource caregivers.

DHS actively participates in EPIC 'Ohana Inc.'s Nā Kama a Hāloa network. Alongside community partners, DHS has partnered with community stakeholders to drive this initiative. DHS supports the network and community partner's preference to establish the Malama 'Ohana Working group within the Office of Wellness and Resilience.

Also, through our 'Ohana Nui multigenerational framework to end poverty, DHS is working to improve access to community services and our online capabilities. For example, DHS is working to establish a network of family resource centers, including one at Waiawa Correctional Center, that will serve as a community based one-stop for families to seek services and assistance. Communities with family resource centers have lower rates of child abuse and neglect reports.

We look forward to continuing to innovate with the Children's Trust Fund, DOH, and the Malama 'Ohana Working Group to address the root causes of child abuse and neglect.

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



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

WRITTEN  
TESTIMONY  
ONLY

**Testimony COMMENTING on SB294  
RELATING TO THE CHILD WELFARE SERVICES.**

SEN. JOY SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH & HUMAN SERVICES

Hearing Date: January 30, 2023

Room Number: 225

1 **Fiscal Implications:** Minimum \$250,000 appropriation.

2 **Department Testimony:** The Department of Health (DOH) supports efforts to improve child  
3 welfare. While the Department of Human Services has the expertise and responsibility regarding  
4 child welfare services, the DOH acknowledges that it shall serve as the lead agency for the  
5 public sector for the Hawaii Children's Trust Fund (HCTF), a public-private partnership housed  
6 under the Hawaii Community Foundation (HCF).

7 DOH is also aware that the HCF shall have the responsibility for the expenditure of moneys from  
8 the trust fund. DOH respectfully suggests instead considering an appropriation directly to the  
9 fund to be expended for the purposes as outlined in the bill in order to expedite the work by the  
10 malama ohana program and empower the HCTF coalition and/or malama ohana program to  
11 select an administrative facilitator of its choice.

12 Thank you for the opportunity to testify.

13 **Offered Amendments:** N/A.

14

**SB-294**

Submitted on: 1/28/2023 5:21:03 PM

Testimony for HHS on 1/30/2023 1:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Laurie Tochiki	Testifying for EPIC Ohana	Comments	In Person

Comments:

We ask that the committee pass SB 295 instead of SB 294. The proposals are the same, but SB294 requests that the host of the process be the Hawaii Children's Trust Fund. As our network developed our Malama Ohana proposal, we considered the Trust Fund as a host. We talked with members of the Trust Fund board, and we discussed the proposal in a network convening in October. We also consulted with Tia Hartsock, chair of the Task Force for Wellness and Resilience, and spoke to the task force. Through these discussions we concluded that the Office of Wellness and Resilience is the most appropriate host for the Malama Ohana process.

Therefore we respectfully ask that SB 295 move forward, and not SB 294.



To: Senator San Buenaventura, Chair  
Senator Aquina, Vice Chair  
Senate Committee on Health and Human Services

Re: SB294, relating to Child Welfare Services  
1:00 p.m., Jan. 30, 2023

Aloha Chair San Buenaventura, Vice Chair Aquino and committee members,

On behalf of Hawai'i Children's Action Network (HCAN) Speaks!, mahalo for the opportunity to testify on Senate Bill 294, relating to child welfare services.

**HCAN Speaks! supports the intent of SB294 and the creation of the Mālama 'Ohana working group.** We believe that this working group will allow the legislature and the State to hear the voices of the community as they share the urgent need to transform the child welfare system through collaboration, transparency, accountability and reconciliation. This group would bring together invested partners as well as gather the voices of lived experiences that have been impacted by the child welfare system here in Hawai'i.

Since much of this work will include hearing from community and understanding the lived experiences of those impacted by child abuse and neglect and the child welfare system, we believe the organization tasked with bringing the working group to fruition must be steadfast in carrying it out with trauma-informed practices with the appropriate staffing to do it justice. HCAN Speaks! currently coordinates the Hawai'i Children's Trust Fund (HCTF). While HCTF is built of important partners, many of whom will participate in the workgroup, it lacks full-time staff to carry out this working group in the way it deserves.

**We believe that the Office of Wellness and Resilience would be better suited to make this workgroup a reality. For these reasons, we prefer the language in Senate Bill 295.**

Mahalo,

Ke'ōpū Reelitz  
Director of Early Learning and Health Policy

TO: Chair San Buenaventura  
Vice Chair Aquino  
Health & Human Services Committee Members

FROM: Dara Carlin, M.A.  
Domestic Violence Survivor Advocate

DATE: Monday, January 30, 2023

RE: SB294

Good afternoon, once again, Chair San Buenaventura, Vice Chair Aquino and Health & Human Services Committee members,

While I stand in general support of SB294 and its intention for Child Welfare Services reform, I would just like to express concern that no one from **the domestic violence community** has been recommended or is represented on the Malama Ohana working group as proposed in HB1365 where it states:

"The Malama Ohana working group shall consist of members from the following governmental entities, and members from the following private entities and constituencies who shall be invited to voluntarily participate, as follows;

- (1) The executive director of Effective Planning and Innovative Communication, Inc., doing business as EPIC `Ohana, or the executive director's designee, who shall be requested to serve as co-chair of the working group;
- (2) The chief executive officer of Hale Kipa, Inc., or the chief executive's designee, who shall be requested to serve as co-chair of the working group;
- (3) Four members of Nā Kama a Hāloa;
- (4) Two members from each of the following constituencies, as identified by Nā Kama a Hāloa:
  - (A) Former foster youth;
  - (B) Birth parents who were involved in the child welfare system, specifically with the department of human services' child welfare services branch;
  - (C) Licensed resource caregivers; and
  - (D) Kinship resource caregivers;
- (5) The director of human services, or the director's designee;
- (6) Two members representing the child welfare services branch's investigators, case managers, or their assistants, as designated by the branch administrator;
- (7) The chairperson of the trauma-informed care task force established within the department of health for administrative purposes pursuant to Act 209, Session Laws of Hawaii 2021, or the chairperson's designee;
- (8) The chief executive officer of the office of Hawaiian affairs, or the chief executive officer's designee;
- (9) The chief executive officer of Kamehameha Schools, or the chief executive officer's designee; and
- (10) The chief executive officer of Lili`uokalani Trust, or the chief executive officer's designee."

I sincerely hope this oversight will be corrected and that more organizations and individuals who should have a voice & seat at the table will be invited – that this list is not exclusive or conclusive.

Beyond inclusivity, I need to point out that had domestic violence not been overlooked, minimized or marginalized by the Department, that Ariel Sellers and her siblings would never have been placed with the Kaluas to begin with.

**This failure to recognize domestic violence and collaborate with domestic violence experts on cases involving domestic violence** has not only cost Ariel her life but Talia Williams, Brayden McVeigh, Reef Aikau, Tyran Vesperas-Saniatan, Peter Boy Kema & so others theirs as well as cost hundreds of thousands (if not millions) in taxpayer funds for misdirected efforts & services and lengthy & traumatic investigations that in absence of domestic violence input is tantamount to malpractice.

For years I've repetitively seen domestic violence abusers be taken seriously, credibly & favorably by CWS workers who deem the victim-survivors and their children as hysterical, histrionic & and not credible, even with documented evidence & witness accounts while at the same time, declining to become involved in DV cases that need CWS intervention because their involvement would be seen as a "duplication of services" if there's an ongoing case in another court (divorce, paternity). Either way, the victim-survivors are revictimized & failed by the professionals who are supposed to be supporting them in their efforts to live abuse-free lives and if you look at all the child homicides, you'll see the majority of them are tied to domestic violence in one shape or form.

Developing recommendations for the establishment of a child welfare system that is trauma informed, sustains a community—based partnership, reflects Hawaii's culture and values, and is responsive to the needs of children and families in the system and the community is certainly a worthy pursuit but a \$250,000 investment would be better spent on establishing something *actionable* that could immediately save lives, like a Domestic Violence Unit within Child Welfare Services or a dedicated Domestic Violence Court.

Respectfully,

*Dara Carlin, M.A.*

Domestic Violence Survivor Advocate