

Committee: Committee on Judiciary

Hearing Time: 9:30 a.m., March 14, 2023

Location: State Capitol

Re: HB349 HD2, Relating to Children

Aloha e Chair Rhoads, Vice Chair Gabbard, and members of the Committee:

We are writing in **strong support** of HB 349 HD2, Relating to Children.

This bill will expand the original jurisdiction of family court to include proceedings for declaration of emancipation of minors; specify the rights of an emancipated minor; allow a minor who has reached the age of sixteen years to petition the family court for a declaration of emancipation; allow certain parties to petition the family court for voidance or rescission of a declaration of emancipation; set forth court procedures and standards in issuing, voiding, and rescinding a declaration of emancipation; provide that emancipation does not confer upon minors the right to purchase, possess, consume, or sell tobacco products or electronic smoking devices; and allow parties to appeal the court's decisions pertaining to emancipation to the Intermediate Court of Appeals.

According to data from the Friends of the Children Justice Center of O‘ahu, child abuse and neglect have increased drastically in recent years. The center tracked 2,060 child victims in 2021, a 19% increase from their 2020 survey. Further research from the Child Welfare League of America’s 2020 report indicated that in 2019, Hawai‘i had a rate of 9.1 victims of child abuse or neglect per 1,000 children, higher than the national average. Residential Youth Services and Empowerment (RYSE) has sheltered over 30 unaccompanied minors, aged 15-17, here in Hawai‘i. These individuals live independently of their parents and make their own decisions about their education, employment, and health needs. Without the option of emancipation, these youth must remain in temporary shelter settings until they turn 18.

Providing youth with a judicial avenue to emancipation at the age of 16 would give these individuals the ability to sign leases, contracts, and other legal documents without parental consent. For children who have been living independently, emancipation offers a legal avenue by which they can begin exercising responsibility, safety, and freedom over their lives.

Opportunity Youth Action Hawaiʻi is a collaboration of organizations and individuals committed to reducing the harmful effects of a punitive incarceration system for youth; promoting equity in the justice system; and improving and increasing resources to address adolescent and young adult mental health needs. We seek to improve the continuity of programs and services for youth and young adults transitioning from minor to adult status; eliminate youth houselessness and housing market discrimination against young adults; and promote and fund more holistic and culturally-informed approaches among public/private agencies serving youth.

**Please support HB 349.**