

## CHILDREN LEGISLATION

Cable news channels have been reporting on the missing 3 year old girl from Florida, Caylee Anthony, for some time. Her mother had been in jail for child neglect, lying to the police, and for not reporting her child missing although she is now out on bail. Caylee's disappearance is suspicious. It appears her mother did not report her missing for a month, and only upon the insistence and questioning from Caylee's grandmother did the missing child become an issue. Caylee's mother is not saying much now and if she is not the primary suspect, she certainly is a person of interest. Caylee's grandmother did state she smelled what could be the odor of a dead person in her daughter's car. Theories about the disappearance include an accidental drowning and being kidnapped by a babysitter.

This disappearance reminds me of the Peter Boy Kema case in Hawaii over a decade ago. Peter Boy's parents said the boy was dropped off at Aala Park with an "auntie" on Oahu. No auntie was ever found, and there is no record that the auntie exists. Peter Boy is still missing, however, his sister reported seeing his dead body on 2 occasions. Unfortunately, I think his parents never spent a day in jail even though they are the primary suspects in Peter Boy's disappearance.

This last Legislatively session, I introduced SB2886 which would make it a crime if a parent or guardian leaves a child less than 14 years old with another person and the person's true identity cannot be confirmed or the person cannot be found. Strangely, the Honolulu Police Department testified against the bill, and gave no optional language to consider. The state Department of Human Services declined to give testimony; disappointing in my opinion. An amended bill made it to conference where it died. Next session I will introduce a similar bill. If parents may be involved in the disappearance of a child, our laws must have teeth to hold them accountable.

I understand one is innocent until proven guilty. At least Caylee's mother is in jail right now until she cooperates more with law enforcement. It's unfortunate Peter Kema's parents did not spend any time in jail. Peter Boy's case is still open. Let us hope justice prevails for him.

Another children's issue I will be pursuing next session is deals with how we discipline our children. Last year I also introduced a measure which would make it illegal to discipline a minor with one's fist. Unfortunately, the bill did not get a hearing. I had the bill drafted after a Hawaii Supreme Court decision which overturned a lower court's decision regarding a father who had struck his teen daughter with a closed fist. As far as I am concerned, punishing a minor should never be done with a fist. My legislation would clearly ban it.

How society punishes or disciplines its children is worthy of debate. Some children are punished by being struck with twigs, rulers, belts, or other items. A spanking with the hand is probably what most children receive. Some parents never strike their children, but rather only have time out, banishment to the bedroom, elimination of privileges (TV, gameboy), and other non-violent measures.

On cable news recently, there was a story about the states which still allowing spanking in the schools. Over 20 states allow it with the remaining banning it. I believe in Hawaii, spanking is not allowed.

Some experts reason corporal punishment (spanking) teaches children that hitting or striking is alright in some instances. Research shows that many domestic violence offenders grew-up around violence and hitting of family members. With all the violence around us – television, movies, sports, magazines, comic books, video games, evening news – I think its time to reconsider corporal punishment. It's been going on for generations, and it will not be eliminated overnight. But starting the dialogue today may make our society and future a little less violent.

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State Senator