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STATE OF HAWAI'I

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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT
STATE OF HAWAI'I

JOHN ROE NO. 121,

Plaintiff,

vs.

STATE OF HAWAI'I; JOHN A. TEIXEIRA;
JOHN DOES 1-10; DOE CORPORATIONS
1-10; DOE PARTNERSHIPS 1-10; DOE
NON-PROFIT ENTITIES 1-10; and DOE
GOVERNMENTAL ENTITIES 1-10,

Defendants.

CIVIL NO.: 1CC191001419
(Other Non-Motor Vehicle Tort)

JOINT TRIAL EXHIBIT 33

Judge: Honorable Kevin T. Morikone
Trial: April 22, 2024

PLACEMENT REQUEST CARD

Date of Request: 05/22/98

(For FHC Use Only)

Dt Request Withdrawn: _____

Dt Child Placed: _____

Child's Name: M. [REDACTED] Jr. DOB: [REDACTED] Case Name: Same

Sex: F ☐ M ☒ Specific Racial Extraction: Hawn, Chin., Puerto Ric., Span, Carrib Indi.

Social Worker: Julie Tsutsui Unit: AU Telephone: 832-5474

Type of Home Needed: ☒ Foster Boarding ☐ Adoptive ☐ Risk Adoption

Special Recruitment: ☐ Court Order ☐ Consent. Give reason if appropriate:

Placement Goal: Temporary, until therapeutic foster home is available Legal Status: PC to DHS

Reason for Placement: T. [REDACTED] was removed from his previous foster mother, at her request. He was placed in the Timan ESH on 05/21/98.

Date Home Needed: BY end of school Length of Placement: 6 months

Other Placement Agency Resources being considered: NONE
(e.g., DOH, DD OR MH)

Pediatric Records Available: ☐ Yes ☒ No

Assessment of the Child (appearance, medical/psychiatric/etc., diagnosis, intelligence, behaviors, school adjustment, reaction to separation/removal, sexual orientation, specific nature of abuse/neglect/risk, history of placements, and any other factors to be considered in placement). If adoption or risk-adopt, send recent color photo of child.

T. [REDACTED] M. [REDACTED] Jr. is the fourth of six children by B. [REDACTED] M. [REDACTED]. DHS assumed placement responsibility of [REDACTED] in October 1995, due to threatened harm. His youngest brother, a toddler, had been hit in the head with a hammer by Mrs. M. [REDACTED]. Mrs. M. [REDACTED] was reportedly attempting to throw the hammer at her boyfriend. There have been several reports to DHS regarding the M. [REDACTED] family, dating back to January 1987. The reports allege physical harm and threatened harm to T. [REDACTED]'s siblings.

[REDACTED] is an emotionally needy child. He has been disappointed by his mother several times in the past; Mrs. M. [REDACTED] was not consistent in visiting T. [REDACTED]. T. [REDACTED]'s father has not maintained contact with him. Since his placement in foster care, T. [REDACTED] suffered many losses -- the loss of his caretakers and siblings. The Adoptions Unit began monthly visits between T. [REDACTED] and his siblings in April 1998. The siblings reside in Wai'anae.

In April 1996, T. [REDACTED] was diagnosed with [REDACTED]. He received mental health services from the Children's Team. The services were discontinued after T. [REDACTED] made progress. The instable lifestyle of T. [REDACTED]'s previous caregiver has not helped T. [REDACTED]'s situation. He has changed schools and relocated three times since September 1997.

T. [REDACTED]'s school, Ma'ili Elementary, has been challenged in dealing with T. [REDACTED]'s behavior. He is very intelligent, but has difficulty completing tasks. T. [REDACTED] is a grade level behind.

Experimental DHS 1503 (DSS-41) (2/88)(FHC)

CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER

SOH 002451

T[REDACTED] has had confrontations with peers, such as pushing a girl in a closet. He is described as very impulsive, and uses physical actions, rather than trying to resolve a problem verbally. He reportedly shook a child who had picked a sticker that T[REDACTED] had given to the school counselor. T[REDACTED] is disrespectful to students and adults, does "silly things" to get attention, and will do what he was told not to do.

Since Mrs. M[REDACTED] contact T[REDACTED] this month, his behavior has deteriorated. Mrs. M[REDACTED] learned T[REDACTED] home phone number and called him. She promised that he would be returned to her next year. Mrs. M[REDACTED] also told T[REDACTED] siblings to tell the social worker that they (the children) would not be adopted because she was going to get them back next year. Mrs. M[REDACTED] reportedly resides in Nevada.

T[REDACTED] was removed from his previous caregiver's home at her request. On May 20, 1998, DHS received a call from Ma'ili Elementary. The school reported that T[REDACTED] had to be restrained in the counselor's office. He knocked the counselor's furniture around, swiped things off the counselor's desk, and tried to bite the counselor. The school counselor had to restrain T[REDACTED] for most of the morning. The counselor reported that T[REDACTED] has run from the school classroom and refused to attend class when his teacher was sick. The counselor had to supervise T[REDACTED]. When taking T[REDACTED] to the cafeteria for lunch, the school counselor held T[REDACTED] hand. Angered, T[REDACTED] told the counselor that she was trying to starve him so that he would die. He told the counselor to hit his head against the wall, so that he would die.

A psychological evaluation was recently completed on T[REDACTED]. The report is pending. However, the psychologist diagnosed T[REDACTED] with [REDACTED] and [REDACTED] (including some [REDACTED]). Case management services by DOH, a therapeutic aide at school and a medical evaluation was recommended. DHS is attempting to refer T[REDACTED] to the Catholic Charities therapeutic foster home program. He will begin psychological and psychiatric services in early June 1998.

T[REDACTED] is not a "bad child." He can have fun with his siblings, and be very polite and sweet. He appears to be consumed with anger, and has had little control over his life (e.g., where he would live, who he would live with, whether he could see his mother/siblings). T[REDACTED] probably witnessed violence in his family home, as there was domestic violence between mother and her boyfriend. Mrs. M[REDACTED] also had a long history of substance abuse. It is hoped that with a *stable, nurturing home*, and with services, T[REDACTED] will be able to heal from the hurts of his past and present, and become a happy, emotionally healthy child.

CHILD'S FAMILY in relation to the foster home (description of parents, family members, their attitudes toward the child, foster parents, and placement plans; any additional information on parents which may affect child's placement).

See above.

FOSTER HOME REQUEST. Special requirements of the foster home (racial background), family composition, religion, neighborhood; degree of structure; participation in treatment, frequency and location, visitation, provision of transportation; use of self as role model, specific geographical area of home desirable.

T[REDACTED] is in need of foster parents who can envelope T[REDACTED] into their home and hearts. They will need to accept him as he is and be able to persevere and appropriately deal with T[REDACTED] emotional and behavioral challenges. The foster parents may need to participate in therapy with T[REDACTED] so that they can learn how to most effectively deal with his needs. The foster parents will also need to make T[REDACTED] available for visits with his siblings.


As Thomas' services providers are in the Leeward area, and as Thomas' siblings reside in the same area, a home in that area would be ideal.

Experimental DHS 1503 (DSS-41) (2/88)(FHC)

APPROPRIATENESS OF HOME per P.L. 96-272. (Placement Worker Use Only.) Complete after reading foster home record and discussion of appropriateness with FHC Unit matcher.

Foster Home Suggested:

State Why appropriate:

 05/25/98
Cynthia Goss, M.S.W. Date

Experimental DHS 1503 (DSS-41) (2/88)(FHC)

CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER

SOH 002453

John Roe 121 v. State of Hawai'i, et al.

Civil No.: **1CC191001419**

Defendant's Exhibit: **JT33**

Marked for Identification: _____

Received into Evidence: _____

Clerk, First Circuit Court