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STATE OF HAWAI'I

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FIRST CIRCUIT
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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 58

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

CONFIDENTIAL

5/15/22

cc: L. EDRALIN
A. W. M.
File ORG

INSTITUTIONAL ABUSE INVESTIGATION REPORT

FACE SHEET

This page contains information which identifies victim, alleged perpetrator, and other related information which is protected by confidentiality.

REMOVE THIS PAGE before releasing this report to the child care facility, or allow review by the public.

A. Facility: T [REDACTED], J [REDACTED] (General License FH)
Address: [REDACTED]
Telephone: [REDACTED] Cellular: [REDACTED]

B. Alleged Perpetrator: T [REDACTED], J [REDACTED]
Address: [REDACTED]
[REDACTED]
Telephone: [REDACTED]

C. Victim: N [REDACTED] M [REDACTED] Jr. DOB: [REDACTED]
Other children in the home:
K [REDACTED] M [REDACTED] DOB: [REDACTED]
P [REDACTED] K [REDACTED] DOB: [REDACTED]
A [REDACTED] S. M [REDACTED] DOB: [REDACTED]
R [REDACTED] J. M [REDACTED] DOB: [REDACTED]

Address: [REDACTED]
[REDACTED]
Telephone: [REDACTED]

Active social service case?

NO: YES: X

Unit 08 (DHCWP) - S. Tirona for N [REDACTED]

Unit 10 (LCWP) - R Evans for K [REDACTED]

Unit 29 (CCW 1) - K. Spencer for F [REDACTED]
and Alika

Unit 13 (CCW 3) - K. Reeber for R [REDACTED]

INSTITUTIONAL ABUSE INVESTIGATION REPORT

I. Identifying Information

A. Facility: T [REDACTED] J [REDACTED]
Telephone: [REDACTED]
Address: [REDACTED]
[REDACTED]

Type: Child Care

Foster Home (Regular)

B. Alleged Perpetrator: T [REDACTED] J [REDACTED]

Relationship to the Victim: DHS Licensed Foster Parent

II. Complaint Information

A. Date of Complaint: March 20, 2003

B. Nature of Complaint: Alleged sexual abuse to then 14 year old, N [REDACTED] M [REDACTED] by his foster father, J [REDACTED] T [REDACTED]. Alleged threat of sexual abuse to R [REDACTED] M [REDACTED] (10), K [REDACTED] M [REDACTED] (15), A [REDACTED] M [REDACTED] (10), and F [REDACTED] K [REDACTED] (11) by their foster father, Mr. T [REDACTED].

A companion case was also assigned for alleged threat of sexual abuse to T [REDACTED] M [REDACTED] (13), H [REDACTED] [REDACTED] K. A [REDACTED] (11), and T [REDACTED] [REDACTED] T [REDACTED] (9) by Mr. T [REDACTED]. Mr. T [REDACTED] is the legal guardian for these minors.

III. Summary of Contacts

1.	Patrick Spencer	CCWP Social Worker
2.	N [REDACTED] M [REDACTED]	Victim - 16 yo male
3.	K [REDACTED] M [REDACTED]	Victim - 15 yo male
4.	T [REDACTED] M [REDACTED]	Victim - 13 yo male
5.	H [REDACTED] K. A [REDACTED]	Victim - 11 yo male
6.	P [REDACTED] K [REDACTED]	Victim - 11 yo male
7.	A [REDACTED] S. M [REDACTED]	Victim - 10 yo male
8.	R [REDACTED] J. M [REDACTED]	Victim - 10 yo male
9.	T [REDACTED] D. T [REDACTED]	Victim - 9 yo male
10.	J [REDACTED] F [REDACTED]	Former Foster Child - 19 yo male
11.	H [REDACTED] F [REDACTED]	Former Foster Child - 17 yo male
12.	J [REDACTED] T [REDACTED]	Foster Parent
13.	Mary Castillo	DHFHL
14.	Luisa Edralin	DHFHL
15.	Rachel Evans	LCWP Social Worker

- | | | |
|-----|-----------------|---|
| 16. | Salome Tirona | DHCWP Social Worker |
| 17. | Keith Spencer | CCW 1 Social Worker |
| 18. | Brian Lott | LCWP Social Worker |
| 19. | Kathy Reeber | CCW3 Supervisor |
| 16. | Dina Koyanagi | CCW2 Supervisor |
| 17. | Lori Ann Kira | Probation Officer for Nester |
| 18. | Lori Terakawa | Social Worker at HYCF |
| 19. | Shannon Makaila | Counselor @ Waimanalo Elementary School |
| 20. | Robert Young | Foster Parent for Hoku |
| 21. | Jaydeen Young | Foster Parent for Hoku |
| 22. | Hinda Diamond | CWA Supervisor |
| 23. | Craig Uehira | HPD-CID Detective |

IV. Facts/Findings

1. Case assigned on March 21, 2003 for investigation of alleged sexual abuse and threat of sexual abuse.
2. N■■■■ M■■■■ (16) was interviewed on March 31, 2003. He denied any SA to himself or witnessing any SA to anyone else.
3. K■■■■ K. M■■■■ (15) and J■■■■ P■■■■ (19) were interviewed on April 1, 2003. They denied any SA to themselves or witnessing any SA to anyone.
4. "D■■■■ T■■■■ (9), F■■■■ K■■■■ (11), "H■■■■ A■■■■ (11), T■■■■ M■■■■ (13), A■■■■ S. M■■■■ (10), and R■■■■ J. M■■■■ (10) were interviewed on April 3, 2003. They denied any SA to themselves or witnessing any SA to anyone.
5. H■■■■ F■■■■ was interviewed on April 4, 2003. He denies any SA to himself, but reports witnessing Mr. T■■■■ "grab the nuts" of N■■■■ and pinch N■■■■ "titties". H■■■■ stated that "he (Mr. T■■■■) is in it (foster care) for the money"; "he treats the foster kids like shit"; "he treats the permanent kids nicer". H■■■■ stated that "I never like ■■■■", "He never bought one single thing for me out of his own pocket." H■■■■ referred to Mr. T■■■■ as a "fagot", a "funken punk" and an "asshole." When H■■■■ was informed that none of the other boys disclosed harm he stated that they were all lying. He also stated that "N■■■■ is a punk."
6. Mr. T■■■■ has been a DHS General Licensed foster parent since 6/10/98. He was licensed prior to that, but took a break from fostering and returned in 1998.

On 01/05/99, an information only report was made that then 7 year old, H■■■■ A■■■■ was accidentally shot with a BB gun in the abdomen by another foster child, then 14 year old L■■■■ E■■■■

7. On April 3, 2003, Shannon Makaila (Counselor @ Waimanalo Elementary School) stated that Mr. T [REDACTED] has been very supportive of his foster children, he promptly responds to concerns from the school regarding academic and behavioral problems, and she has not had any of the children disclose any harm by him. She reported that Mr. T [REDACTED] has some special needs boys and he has been appropriately involved and consistent with them.
8. On 04/03/03, a home visit was made to Mr. T [REDACTED]'s home. Mr. T [REDACTED] stated that he did not ever touch any of his foster children in a sexual manner. His response was of shock, disbelief and even tearful. He reports only wanting the best for his foster children and he reports not knowing why H [REDACTED] would make such an allegation. He stated that the boys would report harm to each other or someone else. He reports that N [REDACTED] is a "macho manly type" and "girl crazy." He believes that N [REDACTED] "would never tolerate" sexual touches from a man, he (N [REDACTED]) would "probably beat him up" if someone tried something like that. Mr. T [REDACTED] denies sexual abuse to N [REDACTED] or any of his past and present foster children. Mr. T [REDACTED] reported that H [REDACTED] was using "ice" while in his home and was always focused on sexual things. He reports that H [REDACTED] would always talk about "getting laid" and "needing a girlfriend". It was reported that H [REDACTED] would steal money and clothing and lie frequently.
9. On 04/04/03, a home visit was made to R [REDACTED] and J [REDACTED] Y [REDACTED], foster parents for H [REDACTED]. They reported numerous difficulties re: H [REDACTED]. They stated that he is always talking about sexual things and girls. He has lied on numerous occasions and they are concerned about current drug usage. They were deciding whether to continue fostering H [REDACTED] as they have young children of their own.
10. Numerous contacts with the various social workers for the other foster children in the home have resulted in similar and consistent reports that Mr. T [REDACTED] has been a supportive foster father and has taken in many difficult boys. There were only reports that Mr. T [REDACTED] can "get loud" (raises his voice) at times. There were no concerns reported of abuse or neglect by Mr. T [REDACTED] to the foster children.

V. Disposition/Assessment

The allegations of sexual abuse and threat of abuse are unsubstantiated. There was no disclosure of harm by the alleged victim and no disclosure of witnessed harm by any of the foster children, past and present. There is concern with the credibility of H. F. report and possible motive for making the allegation. H. reported not wanting to return to the home. Mr. T. has demonstrated appropriate care and guidance of his foster children. No significant concerns were identified on Mr. T. toward any of the children he has provided care for.

Pamela F. 05/12/03
Pamela Silva, M.S.W. Date
DHS Social Worker, CWA

Reviewed and Approved by:

Hinda Diamond 05-19-03
Hinda Diamond Date
CWA Supervisor

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

Civil No.: **1CC191001419**

Defendant's Exhibit: **JT58**

Marked for Identification: _____

Received into Evidence: _____

Clerk, First Circuit Court