

LINDA LINGLE  
GOVERNOR



MARK J. BENNETT  
ATTORNEY GENERAL

LISA M. GINOZA  
FIRST DEPUTY ATTORNEY GENERAL

STATE OF HAWAII  
DEPARTMENT OF THE ATTORNEY GENERAL  
FAMILY LAW DIVISION - HILO OFFICE  
101 AUPUNI STREET, SUITE 320  
HILO, HAWAII 96720-4246  
TELEPHONE: (808) 933-8883; FAX: (808) 933-8887

## CORRESPONDENCE MEMORANDUM

TO: Mary Anne Magnier, DAG  
Craig Sadamoto, Esq.  
Steven Strauss, Esq.  
Edith Kawai, Esq.

FROM: J Yoshimoto *JY*  
Deputy Attorney General


DATE: March 1, 2005

RE: In the Interest of:  
Peter Kema, Jr.;  
FC-S No. 98-034

Pursuant to the Court's request, please take notice that the **Review Hearing** set for Thursday, March 24, 2005 at 9:00 a.m., has been continued to **Thursday, March 31, 2005 at 10:00 a.m., before the Honorable Ben H. Gaddis.**

If you have any questions, please feel free to call me.  
Thank you.

JY:cnl

cc: The Honorable Ben H. Gaddis  
 DHS

EPT. OF HUMAN SERVICES  
Social Services Division

STATE OF HAWAII

Child Welfare Services  
Hilo, Hawaii

## BACK PAGE

## designer, dead at 87



www.golfgroupltd.com

Two associates survey construction job in Avondale, Ariz.

In 1973 at the Boulders Resort in Carefree, Ariz., he designed the second nine, a rugged layout with split fairways, rock outcroppings and a natural look which Richardson said was many years ahead of its time.

His work in Hawaii included preservation of ancient Hawaiian walls and lava outcroppings at Wailea's Orange Course, integrating these features for interest and intrigue.

Born in 1917 in Pennsylvania, Snyder was the eldest of three brothers who became golf course superintendents.

Richardson said Snyder was passionate about making golf fun, enjoyable and affordable.

"His background in landscape architecture and golf course maintenance gave him a tremendous insight to creating golf courses which were beautiful, and at the same time maintainable," said Richardson.

His devotion to design was formulated while studying landscape architecture at Pennsylvania State University. While a senior he taught a course in golf course design. Snyder graduated from Penn State in 1939 with a degree in landscape architecture. His first golf course design was the Harmony Farm Golf Club, built in 1941 and located in Jane Lew, W.Va.

Snyder, always seeking to make golf enjoyable, brought his love for the game to several public sector golf courses. "He felt strongly that the municipal golfer deserved an equally challenging and beautiful golf experience," said Richardson.

Memorial contributions may be made to The Pennsylvania State University Landscape Architecture Scholarship Fund, c/o Advancement Office, 215 Wagner Bldg., University Park, PA. 16802.

funds and virtually all of its attention," Inouye said. "There is simply not enough being done to address port, rail, motor carrier, hazardous material shipment and pipeline security."

President Bush proposed giving TSA \$5.6 billion in 2006. Of that, \$2 billion is budgeted for airline passenger screening and \$1.45 billion for airline baggage screening. Security for seaports, railroads and energy facilities would get a combined \$600 million.

The committee also signaled that the proposed increase in the airline passenger security tax —

from \$2.50 per leg of a flight to \$5.50 — will have tough sledding in Congress.

"I'm going to shoot 'em down, and I think I'll have plenty of help," said Sen. Trent Lott, R-Miss. "I think you're wasting money all over the place."

The tax funds aviation security initiatives. Stone said the Bush administration believes airline passengers should bear the burden of those costs. The tax hike would increase their share of the government's security costs from 36 percent to 73 percent, he said.



## Big Island Report

## Citizens arrested and charged

Big Island police arrested and charged the following individuals:

- George K.K. Correa, 27, of Hawaiian Beaches with shoplifting.
- Ikaika M. Aukai, 26, of Hawaiian Paradise Park with contempt of court.
- Jason Lee Matuszak, 29, of Hilo with driving under the influence.
- Erik B.K. Ahu, 25, of Hilo with failure to appear and two counts of contempt of court.
- Duke Kaleimaikai, 32, of Kailua-Kona with contempt of court.
- Bryant Wade Spencer, 46, of Hilo with two counts of contempt of court.
- Galu Solo Vala Jr., 28, of Kailua-Kona with reckless endangering.
- Heather Mahealani Kekipi, 26, of Hawaiian Acres with shoplifting, violating probation and contempt of court.
- Darren Kamu Grace, 23, of Hilo with promoting a dangerous drug, unauthorized control of a motor vehicle, promoting a detrimental drug and possessing drug paraphernalia.
- Jamil Samimi, 55, of Laupahoehoe with sexual assault.
- Napualani Sandi Kamoku, 23, of Kailua-Kona with bail jumping and three counts of contempt of court.
- Ronald Takashi Nakahara, 59, of Hilo with violating a court order.
- Ludivico Legansi Layo, 35, of Hilo with failure to maintain bail or bond.
- Tyran Kainoa Spencer, 28, of Hilo with failure to appear.
- Jaylin M. Kema, 34, of Hilo with shoplifting.
- Sione Taulongo Nau, 42, of Hilo with contempt of court.
- Kale I. Timsing, 19, of no permanent address with negligent injury, driving under the influence and without insurance.
- Nathan S. Abe, 45, of Kailua-Kona with meth trafficking, three counts of promoting a dangerous drug and four weapons offenses.
- Tahnee Teruko Yates, 34, of Kealahou with assault, criminal property damage.
- Joel Naru Nakamura, 36, of Hilo with burglary.
- Rex Fidel Fernandez, 22, of Kailua-Kona with contempt of court.

## State seeks drug house ban

HONOLULU (AP) — on Oahu and twice on Maui.

The state is seeking a court order to prevent four people from residing at or entering an alleged Big Island drug house.

Circuit Judge Greg

"We expect this abatement action to bring some relief to the Pahoehoe community," First Deputy Attorney General Lisa M.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
SOCIAL SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 01/18/04 Total No. of Pages including Cover Sheet: 14

To: <u>Prosecutors Office - Attn: Charlene Iboshi</u>	
Address: _____	
Phone No.: <u>961-0466</u>	Fax No.: <u>961-8908</u>

From: DHS - [REDACTED] Social Worker

Address: 75 Aupuni St., Rm #112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No. [REDACTED]  
Pager: [REDACTED]

Subject: TRO: Jaylin Kema vs. Peter Kema Sr.

Review &

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_

WARNING: This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

FAKED  
1/18/05

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
SOCIAL SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 1/14/05 No. of Pages including Cover Sheet: 14

To: <u>DAG MARYANNE MAGNIER</u>	
Address: _____	
Phone No.: _____	Fax No.: <u>808-587-2938</u>

From: DHS - [REDACTED] MSW, LSW  
Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720  
Phone No.: [REDACTED] Fax No. [REDACTED]  
Pager No.: [REDACTED]  
Subject: KEMA TRO

WARNING: This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

**FAXED**  
01/14/05

c: Petitioner  
Respondent  
Police

FILED

FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

FC-DA No. 05-1-0027

2005 JAN 12 AM 9:01

FAMILY COURT OF THE THIRD CIRCUIT  
STATE OF HAWAII

JAYLIN M. KEMA,  
Petitioner,

vs.

PETER J. KEMA SR.,  
Respondent.

NOTICE OF TEMPORARY  
RESTRAINING ORDER AND  
NOTICE OF HEARING

NOTICE OF TEMPORARY RESTRAINING ORDER  
AND NOTICE OF HEARING

TO THE DEFENDANT: PETER J. KEMA SR.

READ THIS DOCUMENT CAREFULLY!

The Temporary Restraining Order for Protection attached to this notice applies to you now.  
The order will remain in effect for 90 days from the date that the Order was signed by a judge unless the judge changes the Order at a court hearing. Read the Temporary Restraining Order for Protection carefully and obey the Order.

Any violation of the attached Temporary Restraining Order for Protection is a misdemeanor, and is punishable by a jail term of up to one year, as well as a fine of up to \$1,000.

You are ordered to appear before the presiding judge of this Court at the date, time, and place listed below. At this hearing you will be required to show cause why an order for protection should not be continued against you.

Hearing Date: January 25, 2005      Hearing Time: 8:30 a.m.

Hearing Place: Waiakea Office Plaza  
345 Kekuanaoa Street, Hilo

If you wish to seek the advice of an attorney in this matter, you should do so immediately. You must appear at the hearing scheduled with or without an attorney. If you fail to appear at the hearing, a bench warrant may be issued for your arrest.

Legal and family problems can be difficult and emotionally upsetting. If you need help in the form of emotional support or someone to talk to, telephone Crises Hotline (Island-wide) at 935-3393. The service is available 24 hours a day and is free and confidential.

I hereby certify that this is a full, true and correct copy of the original as filed in this office.

Clerk Third Circuit Court, State of Hawaii



IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

JAYLIN M. KEMA,	)	FC-DA NO. <u>05-1 -0027</u>
	)	
Plaintiff (Petitioner),	)	TEMPORARY RESTRAINING ORDER
	)	
vs.	)	Hearing Date: <u>January 25, 2005</u>
	)	Judge: <u>BEN H. GADDIS</u>
PETER J. KEMA SR.,	)	
	)	
Defendant (Respondent).	)	THIS ORDER EXPIRES ON:
	)	<u>April 12, 2005</u>

TEMPORARY RESTRAINING ORDER

Based upon the Ex Parte Petition for a Temporary Restraining Order for Protection and Statement of the Plaintiff and pursuant to HRS Section 586-4(b), the Court finds there is probable cause to believe that a past act or acts of abuse have occurred, or that threats of abuse make it probable that acts of abuse by the Defendant may be imminent.

It appears to the Court that a Temporary Restraining Order for Protection should be granted and is necessary to prevent acts of abuse or recurrence of actual domestic abuse by requiring that the parties be separated for a specific period.

IT IS HEREBY ORDERED that the Defendant appear before the Judge in the above-entitled proceeding at the date, time and place indicated in the attached Notice of Hearing to show cause why this temporary restraining order should not continue.

[ ] The court also finds the Defendant owns, intends to obtain or possesses a firearm and that the firearm may be used to threaten, injure or abuse a person.

**DEFENDANT ABOVE NAMED**

**This Order applies to you now!  
Read this entire Order carefully!**

THIS ORDER BECOMES EFFECTIVE ONCE IT HAS BEEN SIGNED AND FILED, THE ORDER REMAINS IN EFFECT FOR NINETY (90) DAYS UNLESS THE COURT CONTINUES OR TERMINATES IT.

**TO THE DEFENDANT  
YOU AND ANYONE ACTING ON YOUR BEHALF  
ARE ORDERED AS FOLLOWS:**

1. Do not threaten or physically abuse the Plaintiff or anyone living with the Plaintiff.
2. Do not contact, write, telephone or otherwise electronically contact (by recorded message, pager, etc.) the Plaintiff including where the Plaintiff lives or works.
3. Do not visit or remain within 100 yards of any place where the Plaintiff lives or works. **Do not violate this order even if the Plaintiff invites you to be at the place where the Plaintiff lives or works.**

    Immediately leave the residence located at 1303 Kula Wainoale St 6, Hilo and don't go back until this order is changed.

    Do not have contact with:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, and

the minor children.

    Do not have any contact with:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, and

who live with Plaintiff or are Plaintiff's family members.

-----**FIREARMS PROHIBITION**-----

**IT IS ORDERED**, pursuant to HRS Section 134-7(f), that Defendant is prohibited from possessing or controlling any firearm, ammunition, firearm permit or license for the duration of this order or extension thereof. All Permits/Licenses are hereby revoked. Defendant shall immediately turn over all firearms, ammunition, permits and/or licenses to a police officer or to the Police Department of the County of Hawai'i, for the duration of this order or extension thereof, unless the Defendant is granted a police/law enforcement/armed forces/government personnel, on duty firearms only exemption, pursuant to HRS Section 134-11(a) and (b) by



A copy of this order shall be forwarded to Defendant's chief, commanding officer or administrator (name/address) for determination of exemption, if any: \_\_\_\_\_

Information on Defendant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Telephone No. \_\_\_\_\_

Social Security Number: \_\_\_\_\_

IT IS FURTHER ORDERED THAT:

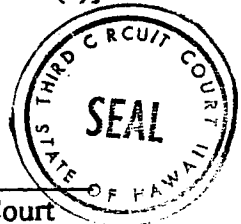
1. An officer of the Police Department shall personally serve the order and related documents and shall accompany the Plaintiff and assist the Plaintiff in securing possession of any dwelling or residence that the Defendant is ordered to vacate.

Filing fees are waived.

ANY VIOLATION OF THIS TEMPORARY RESTRAINING ORDER FOR PROTECTION IS A MISDEMEANOR AND MAY BE PUNISHABLE BY A JAIL SENTENCE OF UP TO ONE YEAR AND/OR A \$1,000 FINE. [HRS Section 586-4(c)]

DATED: Hilo, Hawai'i, JAN 12 2005.

B.H. [Signature]  
Judge of the above-entitled Court



FAMILY COURT OF THE THIRD CIRCUIT  
STATE OF HAWAII

FC- DA No. 05-1 -0027

Ex Parte Petition For A  
Temporary Restraining  
Order For Protection

Plaintiff (or Petitioner).

Jaylin M. Kemz

VS

Peter J. Kemz, Sr.

Defendant (or Respondent).

Counsel for Plaintiff:

(Address & Phone Number)

EX PARTE PETITION FOR A TEMPORARY RESTRAINING  
ORDER FOR PROTECTION

Plaintiff in support of this Petition alleges that:

1. I reside on the Island of Hawaii.

My residence address is 1303 Kalamianale St #6, Hilo 96720.  
My home telephone number is don't disclose and my work number is  
Hawaii 96720. My mailing address is 1303 Kalamianale St #6 Hilo

I ask that my address and telephone number be kept confidential and I am  
supplying this information to the court on a separate form.

2. I am applying for protection:

for myself.  for the following persons who are minors, incapacitated,  
or physically unable to complete or file this Petition.

Name:

Relationship to me:

Birthdate/Age:

3. I have the following relationship with the Defendant above named:

- we are married.
- we were married, but are now divorced.
- we are the parents of the same minor children.
- we are parent and child.
- we are related by blood as follows: \_\_\_\_\_
- we last lived together on May 2004 2004 (petitioner vacated)
- we are now living together.
- we are in a dating relationship

4. The following domestic abuse has occurred.

- A.  physical harm, bodily injury, or assault.
- B.  threat(s) of imminent physical harm, bodily injury, or assault.
- C.  an intentional or knowing course of conduct that serves no legitimate purpose and which was directed at the Plaintiff and/or persons residing with the Plaintiff which has seriously alarmed or disturbed, or consistently bothered the Plaintiff or persons residing with the Plaintiff.
- D.  malicious property damage.
- E.  an act committed against a minor family or household member by an adult family or household member which would constitute an offense under Section 709-906, or under parts V. or VI. Of chapter 707 of the Hawaii Revised Statutes.

*John*  
 stole her companion dog; charged her w/ a machete; took her car; threw the ukulele at her & broke her toaster; phone harassment (13 times on Sunday) 1/9/05  
 do  do not believe that the Defendant owns, intends to obtain, or possesses a firearm and that the firearm may be used to threaten, injure or abuse any person. "I believe he has access to fire arms."

Plaintiff asks the court to immediately issue an Ex Parte Temporary Restraining Order for Protection that orders the Defendant and any other person acting on behalf of the Defendant.

A.  not to threaten or physically abuse the plaintiff or any other persons sought to be protected by this Petition.

B.  not to personally contact:

the Plaintiff.

the following minor children \_\_\_\_\_

stay away from my residence @ 1303 Kalamazoo St. #6

C.  not to visit or remain within 100 yards of any place where the Plaintiff lives or works. (I understand that if this relief is granted that I cannot invite the Defendant into my residence until the court changes this order.)

D.  to vacate the residence located at petitioner moved out May of 2004

I understand that if the court grants the relief that I have requested the court order will be in effect until a court hearing can be scheduled. I also understand that we must follow the terms of this order until the court hearing and that I can request changes in the order at the court hearing.

The Plaintiff declares under penalty or perjury, that the statements made herein are true and correct to the best of the Plaintiff's knowledge, information, and belief.

Dated: 1/11, 2005

[Signature]  
Plaintiff's Signature

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAII

FC- DA NO. 05-1-0027

Petitioner (or Plaintiff).

*Jaylim M. Kema*

vs

PETITIONER'S STATEMENT

*Peter J. Kema, Sr.*

Respondent (or Defendant).

PETITIONER'S STATEMENT

IF YOU ARE SEEKING A TEMPORARY RESTRAINING ORDER FOR PROTECTION  
ANSWER THE FOLLOWING QUESTIONS AS COMPLETELY AS POSSIBLE

1. Provide the following information:

Your date of birth: *April 10, 1910*

Your social security number: \_\_\_\_\_

Respondent's date of birth: *August 17, 1910*

Respondent's social security number: 

2. Describe the relationship between the parties and the length of the relationship:

*We have been together as a couple for 16 years, today we would have our 13 year anniversary. however, since I left in May/June 2004 he has stolen my service dog, mini teacup chihuahua Blk/whi "Kaulani" twice, stole my car twice, has broken several ukuleles by hitting me with it. I am on the clock when I left the house and to return in 1 hour, and has broken my front tooth which has been fixed as of a year ago.*

3. If you are seeking protection for an adult family or household member who is incapacitated or physically unable to complete this petition, identify this person and explain why the person cannot seek protection.

4. Has the Respondent committed recent acts of domestic abuse (or made threats of domestic abuse) towards the Petitioner? If so, describe the abuse and/or threats and state when these actions occurred. (Attach additional pages if more space is needed.)

Thursday night 01.06.05 - He has gone to my apt, walked right and scared my house guest, took my dog and met me at the church of gospel of Alpha n Omega.

Sunday 01.09.05 - He had kept me from going to Kona on a church excursion. Told me to stay home with him and not to go to have lunch with my Pastor Anna Cordero. Tried to leave for another church event and before leaving, he didn't want me to go into the car. When I was sitting in the car while the car was in reverse and he opened the door tried to hug me and kept saying "I love you, Don't go stay with me", however, my Pastor told him to move close the door and we left.

~~Jan~~ Early December, 2004 - He stole my dog refused to return it: turning police advocate called the police, they responded & he was arrested for theft trespassing.

5. Has the Respondent committed recent acts of domestic abuse (or made recent threats of domestic abuse) towards other family or household members? If so, identify the family member threatened or abused, describe the abuse and/or threats, and state when these actions occurred. (Attach additional pages if more space is needed.)

~~Jan~~

He entered my house uninvited while I was not home, frightened & intimidated my house guest by asking her questions about my whereabouts.

6. Is there a history of past domestic abuse by Respondent against family or household members? If so, please describe.

Yes. He has already used manhood power and control, with intimidation. In December, we have been arguing and had gotten to the point of holding my mouth shut, holding me down, tried to punch my face when I looked like one of his deceased sister. Previous, to me leaving in May 2004, he would have the power to say where I can go, who I can see, when I have to be home, and is always ask me "If I love him" or "I don't love him anymore."

7. Does the Respondent  possess,  own, and/or  intend to obtain any firearms or ammunition?  Yes  No *Kept at father's residence*

If you checked "Yes" complete the following with as much detail as possible.

A. Describe the firearms and ammunition by make, caliber, manufacturer, or provide a detailed description of the firearm and ammunition. *Shotgun/handgun*

B. Describe the known locations of such firearms and ammunition, noting address, directions to address, detailed description of the structure. (Attach additional pages if more space is needed.) *At Boss' workshops in Panewa, Railroad ave. Past auwai Rd. (James Cordero)*

C. If the firearms are known to be located in a vehicle, what is the make, model, license number, color of the vehicle. *No*

Who is the registered owner of the vehicle? *Santiago Cordero (.*

D. How long has the Respondent had the firearms and ammunition in his/her possession? *NA*

E. Does Respondent own the firearms and ammunition? **NA**

F. When was the last time you observed the firearms and ammunition? **May 2004**

8. Has the Respondent ever threatened or used weapons against any family or household member?  Yes  No If so, describe the incident, the weapon and the date that the incident occurred. **machete, knives**

9. Is there any other reason that you fear that the Respondent may use a firearm to threaten, injure, or abuse any person? **DK**

10. Do you believe that the Respondent presently has a drug or alcohol problem? If so, describe the problem. **Alcohol problem**

11. Do you believe that the Respondent presently has a mental illness or emotional disability? If so, please describe the problem. **Yes. He was in the psych ward at Hilo Medical Center in January 2002.**

12. Have any legal proceedings been filed in court between you and the Respondent?  
 No  Yes If the answer is "Yes" list the name of the case, the case number, where the case was filed, and the date the case was finished. (If you do not have all of this information, supply as much information as you do have.)

13. Supply the information requested below for all minor children of the Petitioner and Respondent as well as all other minor children that live in your household.

<u>Child's Name</u>	<u>Birthdate</u>	<u>Mother</u>	<u>Father</u>	<u>Do you seek a Protective Order for this child?</u>
Peter J. Kemza, Jr.	May 1, 1991	Jaylin Kemza	Peter Kemza, Sr.	
[REDACTED]	[REDACTED]	Jaylin Kemza	Peter Kemza, Sr.	

14. If you are seeking a protective order for any of the children named on the previous page, complete items A-C below.

a. Is there a custody and/or visitation order that has been issued by a court for any of the children for which you are seeking an order of protection?  Yes  No If the answer is "Yes", describe what the order says or attach a copy of the order if it is available.

The children do not live with either parent  
 [REDACTED] & one child a "missing child".

b. If you are seeking a protective order for children listed above, describe where each child has been residing and name all adults that have been residing in the home of each child for the three months.

None.



c. Are you requesting any change in arrangements out where each child lives and visits?  
Yes No  If answer is "Yes", explain why the change in arrangements is needed.

15. Will you or the Respondent require any special assistance at the court hearing (i. e. translation services, special access needs)?

*no*

16. Is there anything else that you would like the Court to consider in reviewing your application for a protective order? *a no contact order for protection*

I solemnly and sincerely declare, under penalty of perjury, that the statements made in this document are true and correct to the best of my belief, information, and knowledge.

Dated: January 11, 2005

*Justin M. P...*  
Petitioner's Signature

Assisted by: \_\_\_ Attorney  ATV \_\_\_ Crisis Shelter \_\_\_ Family Court Officer  
*End*  
*CPD*

State of Hawaii  
Department of Human Services  
Family and Adult Services Division  
Telephone: (808) 933-4251

REFERRAL FORM  
(Sent via Certified Mail)

To Jaylin & Peter Kema, Sr. Date: October 21, 2002  
Re Court Review Hearing Address P.O. Box 1945 - Pahoia, HI 96778  
By [REDACTED] Social Worker Unit 70 Phone [REDACTED]  
Page [REDACTED]

This Referral Form is being sent to you as a reminder that a court review hearing with regard to your son, Peter Kema, Jr., is scheduled for Thursday, November 7, 2002 at 9:30 A.M. before the Honorable Ben H. Gaddis at the Family Court of the Third Circuit.

Should you have any questions with regard to this hearing, please contact your respective attorneys, Steven Strauss, and Craig Sadamoto.

Mahalo for your cooperation.

cc: Steven Strauss, Esq.  
Craig Sadamoto, Esq.  
Randall Cockett, DAG  
Edith Kawai, GAL

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 10/20/02 Total No. of Pages including Cover Sheet: 2

To: Randy Cockett, DAG  
Address: \_\_\_\_\_  
Phone No.: 933-8883 Fax No.: 933-8887

From: \_\_\_\_\_ DHS - [REDACTED] MSW, LSW  
Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720  
Phone No.: [REDACTED] Fax No. [REDACTED]  
Subject: Re: Kema Letter; Report to be delivered on 10/21/02.

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 10/20/02 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Kema, Jr.</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] MSW, LSW

Address: \_\_\_\_\_

Phone No.: [REDACTED]

Fax No.: [REDACTED]

Pager: [REDACTED]

Subject: Referral letter to parents in Kema case

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Review & Comment by \_\_\_\_\_

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 10/20/02 Total No. of Pages including Cover Sheet: 2

To: <u>Steven Strauss - Attorney for Peter Kema, Sr.</u>	
Address: _____	
Phone No.: <u>969-6684</u>	Fax No.: <u>934-8898</u>

From: \_\_\_\_\_ DHS - [REDACTED] MSW, LSW

Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No.: [REDACTED]

Subject: Copy of letter to parents.

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 10/20/02 Total No. of Pages including Cover Sheet: 2

**To:** Craig Sadamoto-Atty for Jaylin Kema

**Address:** \_\_\_\_\_

**Phone No.:** 935-0033      **Fax No.:** 935-0050

**From:** \_\_\_\_\_ DHS - [REDACTED] MSW, LSW

**Address:** 75 Aupuni St. #112 Hilo, HI 96720

**Phone No.:** [REDACTED]      **Fax No.:** [REDACTED]

**Pager No.:** [REDACTED]

**Subject:** Copy of letter to Parents

**REMARKS:**  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

State of Hawaii  
Department of Human Services  
Family and Adult Services Division  
Telephone: (808) 933-4251

REFERRAL FORM  
(Sent via Certified Mail)

To Jaylin & Peter Kema, Sr. Date: May 1, 2002  
Re Court Review Hearing Address P.O. Box 1945 - Pahoa, HI 96778  
By [REDACTED] Social Worker Unit 70 Pho [REDACTED]  
Pager [REDACTED]

This Referral Form is being sent to you as a reminder that a court review hearing with regard to your son, Peter Kema, Jr., is scheduled for Thursday, May 23, 2001 at 10:00 A.M. before the Honorable Ben H. Gaddis at the Family Court of the Third Circuit.

Should you have any questions with regard to this hearing, please contact your respective attorneys, Steven Strauss, and Craig Sadamoto.

Mahalo for your cooperation.

cc: Steven Strauss, Esq.  
Craig Sadamoto, Esq.  
Randall Cockett, DAG  
Edith Kawai, GAL

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 05/01/02 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Kema, Jr.</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] MSW, LSW

Address: \_\_\_\_\_

Phone No.: [REDACTED] Fax No.: [REDACTED]

Pager: [REDACTED]

Subject: Referral letter to parents in Kema case

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 05/01/02 Total No. of Pages including Cover Sheet: 2

To: <u>Craig Sadamoto - Atty for Jaylin Kema</u>	
Address: _____	
Phone No.: <u>935-0033</u>	Fax No.: <u>935-0050</u>

From: \_\_\_\_\_ DHS - [REDACTED] MSW, LSW

Address: 75 Aupuni St. #112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No. [REDACTED]  
Pager No.: [REDACTED]

Subject: Referral to parents in Kema case

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

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STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 05/01/02 Total No. of Pages including Cover Sheet: 2

To: <u>Steven Strauss - Attorney for Peter Kema, Sr.</u>	
Address: _____	
Phone No.: <u>969-6684</u>	Fax No.: <u>934-8898</u>

From: \_\_\_\_\_ DHS [REDACTED], MSW, LSW  
Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720  
Phone No.: [REDACTED] Fax No.: [REDACTED]  
Subject: See attached Referral

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Review & Comment by \_\_\_\_\_

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STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 05/01/02 Total No. of Pages including Cover Sheet: 2

To: <u>Randy Cockett, DAG</u>	
Address: _____	
Phone No.: <u>933-8883</u>	Fax No.: <u>933-8887</u>

From: \_\_\_\_\_ DHS -  MSW, LSW

Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720

Phone No.:  Fax No. 

Subject: Referral to parents in Kema Case

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

Children's Justice Center of East Hawaii  
1290 Kinoole Street Hilo, Hawaii 96720  
Ph. (808)933-0965 Fax (808)933-0968

March 15, 2002

To: Meeting Participants  
From: Marianne B. Okamura  
Hawaii County Program Director  
Re: Confirmation of Civil Criminal Coordination meeting for  
Peter Kema Jr.

Child's name Peter Kema Jr. CJC # 97-0174

Suspects Peter Kema Sr. / Jaylyn Kema Relationship Natural parents  
Date Wednesday, March 20, 2002 Time 9:30 a.m.

Location Children's Justice Center of East Hawaii  
1290 Kinoole Street, Hilo


PARTICIPANTS

- DHS Social Worker(s) [REDACTED]
- Police Investigator Lt. Derek Pacheco
- Prosecutor Jack Matsukawa
- Victim Assistance Counselor Cherith Cohn
- Deputy Attorney General Randy Cockett
- Guardian Ad Litem Edith Kawai-via video conference

Please come prepared to discuss your up to date involvement in this case.  
Please notify the CJC (933-0965) as soon as possible if you will be unable to attend.

Children's Justice Center of East Hawaii  
1290 Kinoole Street  
Hilo, Hawaii 96720  
Phone: (808)933-0965 Fax: (808)933-0968

March 13, 2002

To: Lt. Derek Pacheco  
  
Edith Kawai  
Charlene Iboshi for Diane Noda  
Cherith Cohn  
Randy Cockett

From: Marianne B. Okamura  
Hawaii County Program Director

Re: Civil Criminal Coordination meeting for Peter Kema, Jr.

We are in the process of scheduling a civil criminal coordination meeting regarding Peter Kema, Jr., and are considering the following dates. Please let us know when you are available. We would appreciate your response by **March 15th**. We will then schedule a time for a one hour meeting.

		Yes	No
Tuesday, March 19	1:00-4:00	_____	_____
Wednesday, March 20	8:30-12:00	_____	_____
	1:30-3:00	_____	_____

You may contact Jo Ann by calling 933-0965 or faxing 933-0968. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 02/14/02 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Kema, Jr.</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] MSW, LSW

Address: \_\_\_\_\_

Phone No.: [REDACTED] Fax No.: [REDACTED]  
Pager: [REDACTED]

Subject: Newspaper Article

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

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# Media access to missing kids' files may expand

By Chris Loos  
Tribune-Herald

A state House committee has passed a bill that would make it easier for newspapers to publish information about missing children.

Oahu Rep. Dennis Arakaki, who introduced the bill, said it was inspired by the "Peter Boy" case on the Big Island.

Peter Kema Jr. was reported missing in January 1998 by Child Protective Services, but police said at the time that the 6-year-old boy had not been seen by

anyone except his parents since April 1997.

When he disappeared, his father told police that he took his son with him to Oahu in September 1997 while job hunting, leaving him there with a woman he called Auntie Rose Makuakane.

In April 1998, Child Protective Services took Peter Boy's [redacted] away from his parents, Peter Kema Sr. and Jaylin Kema. That same month, the father denied to reporters that he killed his son and said he believed the child was still alive.

Around that time the Honolulu



KEMA JR.

Advertiser wrote to Family Court Judge Ben Gaddis seeking information about Peter Boy's disappearance. Gaddis ordered the Department of Human Services to prepare a synopsis for the news media that

included Peter Boy's injuries when he first came to the department's attention, the circumstances that led to CPS's involvement a second time, any information about his disappearance and "any

other information or allegations that might help the public locate Peter Boy."

The following month, the Advertiser asked the court for access to all confidential CPS records about Peter Boy and his siblings, arguing that the information might help the community understand what happened to the boy. Gaddis ordered CPS to release information in Peter Boy's closed case but denied the request for files from the newer case and for the siblings' records. He also ordered CPS to black out any information in the Peter Boy case

See PROPOSAL,  
Page 8

## PROPOSAL: Bill would ease access to files

From Page 1

about the siblings. Before the information was released, however, Peter Kema Sr. appealed to the Hawaii Supreme Court, citing privacy issues of Peter Boy's siblings.

The Supreme Court overturned Gaddis' ruling and said the judge couldn't release Peter Boy's file. "The overriding concern of the Child Protective Act in determining whether to release such information remains the best interest of the

children involved," the court said in its opinion. The release of the documents wouldn't be in the best interest of the siblings, the high court said, because their cases were "inextricably intertwined" with Peter Boy's.

"That's not right," Rep. Arakaki said in explaining why he wants to amend the Child Protective Act. "We want the right of the missing child to be paramount and to take precedence over the rights of the siblings." Arakaki's

amendment would allow a judge to determine whether access to files that might help the public find a missing child outweighs the confidentiality interests of other family members.

In 2000, police reclassified Peter Boy's disappearance from a missing person case to murder and referred it to prosecutors, who sent it back to police for follow-up work. In May 2001, police sent the case to prosecutors again.

"We're working with the police, and it's still under 'active,'" said Prosecuting Attorney Jay Kimura on Wednesday. "It's a lot of material we have to go through."

Kimura wouldn't say how close his office is to making a decision or what prosecutors plan to do with the case.

"Hypothetically," he said, "when we review a case, the process we would use is to present it to a grand jury."

*Haw. Trib. Herald 2/14/02*



STATE OF HAWAII  
DEPARTMENT OF THE ATTORNEY GENERAL  
FAMILY LAW DIVISION - HILO OFFICE  
101 AUPUNI STREET, SUITE 320  
HILO, HAWAII 96720-4246  
TELEPHONE: (808) 933-8883 • FAX: (808) 933-8887

Thomas R. Keenan  
FIRST DEPUTY ATTORNEY GENERAL

CORRESPONDENCE MEMORANDUM

TO: Craig Sadamoto, Esq.  
Steven Strauss, Esq.  
Edith Kawai, Esq.

FROM: Randal Q. Cockett *r.c.*  
Deputy Attorney General

DATE: February 5, 2002

RE: In the Interest of:  
Peter Kema, Jr.;  
FC-S No. 98-034

SEARCHED  
SERIALIZED  
INDEXED  
FILED  
FEB 12 2002  
HILO, HAWAII

Pursuant to the Court's request, please take notice that the **Review Hearing** set for Thursday, May 16, 2002 at 9:00 a.m., has been continued to **Thursday, May 23, 2002 at 10:00 a.m., before the Honorable Ben H. Gaddis.** Counsel for parents and the GAL are excused from the hearing, unless requested to appear by the Court.

If you have any questions, please feel free to call me. Thank you.

RQC:lch  
cc: Honorable Ben H. Gaddis  
[REDACTED]



COPY

State of Hawaii  
Department of Human Services  
Family and Adult Services Division  
Telephone: (808) 933-4251

REFERRAL FORM  
(Sent via Certified Mail)

To Jaylin and Peter Kema Date 10/07/01

Re Court Review Hearing Address General Delivery - Pahoa, HI 96778

By [REDACTED] Social Worker Unit 70 Phone [REDACTED]  
Page [REDACTED]

This Referral Form is being sent to you as a reminder that a court review hearing with regard to your son, Peter Kema, Jr., is scheduled for Thursday, October 25, 2001 at 8:30 A.M. before the Honorable Ben H. Gaddis at the Family Court of the Third Circuit.

Should you have any questions with regard to this hearing, please contact your respective attorneys, Steven Strauss, and Craig Sadamoto.

Mahalo for your cooperation.

- cc: Steven Strauss, Esq.
- Craig Sadamoto, Esq.
- Randall Cockett, DAG
- Edith Kawai, GAL

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 10/07/01 Total No. of Pages including Cover Sheet: 2

<b>To:</b> <u>Craig Sadamoto - Attorney for Jaylin Kema</u>	
<b>Address:</b> _____	
<b>Phone No.:</b> <u>935-0033</u>	<b>Fax No.:</b> <u>935-0050</u>

**From:** \_\_\_\_\_ DHS - [REDACTED], MSW, LSW

**Address:** 75 Aupuni St. #112 Hilo, HI 96720

**Phone No.:** [REDACTED] **Fax No.:** [REDACTED]

**Pager No.:** [REDACTED]

**Subject:** See attached letter

**REMARKS:**  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

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STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
FAMILY AND ADULT SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 10/07/01 Total No. of Pages including Cover Sheet: 2

To: <u>Steven Strauss - Attorney for Peter Kema, Sr.</u>	
Address: _____	
Phone No.: <u>969-6684</u>	Fax No.: <u>934-8898</u>

From: \_\_\_\_\_ DHS - [REDACTED] MSW, LSW

Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No. [REDACTED]

Subject: See attached Referral

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Review & Comment by \_\_\_\_\_

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STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 10/07/01 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Boy Kema</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] MSW, LSW

Address: \_\_\_\_\_

Phone No.: [REDACTED] Fax No.: [REDACTED]

Pager: [REDACTED]

Subject: See attached Referral

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

Edie -

[REDACTED] will be attending this hearing in my place as I will be on the Mainland on vacation.

Aloha,

[REDACTED]

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STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
FAMILY AND ADULT SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 10/07/01 Total No. of Pages including Cover Sheet: 2

To: <u>Randal Cockett, DAG</u>	
Address: _____	
Phone No.: <u>933-8883</u>	Fax No.: <u>933-8887</u>

From: \_\_\_\_\_ DHS - [REDACTED] MSW, LSW

Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No.: [REDACTED]

Subject: See Attached Letter

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

Department of Human Services  
Social Services Division  
East Hawaii Child Welfare Services Unit #1  
75 Aupuni St., Rm. 112  
Hilo, HI 96720  
Telephone: (808) 933-0650

REFERRAL FORM

To Steven Strauss; Craig Sadamoto; Edith Kawai Date 6/26/01  
Randal Cockett

Re Pictures-Kema & [REDACTED] Children Address N/A

By [REDACTED] MSW, LSW Unit 70 Phone [REDACTED]  
Pager [REDACTED]

Remarks:

I was not able to be present at the May 24, 2001 court hearing due to the fact that I was on the Mainland. It was reported to me that a request had been made by Jaylin Kema that she would like to obtain current pictures of [REDACTED]. The court asked that I follow up on the matter.

1. I have no contact address or telephone number for [REDACTED]. He is the father of [REDACTED] and has custody of [REDACTED]. I believe that they are living on the [REDACTED].
2. I contacted [REDACTED] with regard to pictures of [REDACTED]. [REDACTED] reported that, while she has pictures of [REDACTED] and a contact address and phone number for [REDACTED], she is unwilling to share the same with Jaylin at this time.

[REDACTED] stated that she is supporting the wish of her husband [REDACTED] that Jaylin make contact with him and share what she knows of Peter Jr.'s disappearance before the family is willing to sharing any information regarding the other [REDACTED] with her.

[REDACTED] further stated that Jaylin has contacted her by telephone in recent months and that she is free to continue doing so. However, without the above-mentioned conversation taking place with [REDACTED], no pictures or contact information will be given to Jaylin.

- Reply not needed  
 Please reply

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 06/26/01 Total No. of Pages including Cover Sheet: 2

To: <u>Craig Sadamoto - Atty for Jaylin Kema</u>	
Address: _____	
Phone No.: <u>935-0033</u>	Fax No.: <u>935-0050</u>

From: \_\_\_\_\_ DHS - [REDACTED] MSW

Address: 75 Aupuni St. #112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No. [REDACTED]

Pager No.: [REDACTED]

Subject: See attached Referral

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

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*Unable to fax - placed in Family Court packet.*

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 06/26/01 Total No. of Pages including Cover Sheet: 2

<b>To:</b> <u>Steven Strauss - Attorney for Peter Kema, Sr.</u>	
<b>Address:</b> _____	
<b>Phone No.:</b> <u>969-6684</u>	<b>Fax No.:</b> <u>934-8898</u>

**From:** DHS - [REDACTED] MSW, LSW  
**Address:** 75 Aupuni St. Rm.#112 Hilo, HI 96720  
**Phone No.:** [REDACTED] **Fax No:** [REDACTED]  
**Subject:** See attached Referral

**REMARKS:**  Urgent/Reply By \_\_\_\_\_  Info only  **Review & Comment by** \_\_\_\_\_

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DEPARTMENT OF HUMAN SERVICES  
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FACSIMILE COVER SHEET

Today's Date: 06/26/01 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Boy Kema</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED], MSW, LSW

Address: \_\_\_\_\_

Phone No.: [REDACTED]

Fax No.: [REDACTED]  
Pager: [REDACTED]

Subject: See attached Referral

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Review & Comment by \_\_\_\_\_

Eddie -

[REDACTED] will be attending this hearing in my place as I will be on the Mainland on vacation.

Aloha,

[REDACTED]

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Today's Date: 06/26/01 Total No. of Pages including Cover Sheet: 2

To: <u>Randy Cockett, DAG</u>	
Address: _____	
Phone No.: <u>933-8883</u>	Fax No.: <u>933-8887</u>

From: \_\_\_\_\_ DHS [REDACTED] MSW, LSW  
Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720  
Phone No.: [REDACTED] Fax No.: [REDACTED]  
Subject: See Attached Referral

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CO. Y.

State of Hawaii  
Department of Human Services  
Family and Adult Services Division  
Telephone: (808) 933-4251

REFERRAL FORM  
(Sent via Certified Mail)

To Jaylin Kema Date 10/11/00

Re Response to 9/28/00 Letter Address P.O. Box 2058 - Keaau, HI 96749

By [REDACTED], MSW Unit 70 Phone [REDACTED]  
Pager [REDACTED]

I received your letter dated September 28, 2000, today, October 11, 2000. I hope that your post office box address is still current as you did not put a return address on the envelope containing your letter nor did you put a return address on the letter itself.

With regard to contacting [REDACTED]

I believe that [REDACTED] living in the [REDACTED] on [REDACTED] father, [REDACTED] As you know, the case involving [REDACTED] and their following the September, 1998 court hearing in which [REDACTED] was granted legal and physical custody.

The DHS case closed in February of 1999 and the information provided to me [REDACTED] was that [REDACTED] and [REDACTED] relocated to [REDACTED] I believe that [REDACTED] got this information from [REDACTED] who continues to live on the west side of the island. This information was given to me over a year ago.

I have no current address or telephone number. I believe that, at one time, [REDACTED] were having periodic contact with [REDACTED]. They may be able to provide you with more current and detailed information regarding [REDACTED] whereabouts and how you might attempt to contact them.

The adoption of [REDACTED] was completed in March of 2000. At the time of the adoption, a name change was also done at the request of [REDACTED] and with the support of [REDACTED]

As adoptive parents [REDACTED] have full control over who does and does not have contact with [REDACTED]. I would suggest that you call [REDACTED] so that they can let you know under what conditions they would be willing to allow you to have contact with [REDACTED]

I hope that this information will assist you in re-establishing contact with [REDACTED] if their current caretakers feel that it is in the best interests of [REDACTED]

If you have further questions which you feel that I might be able to assist you with, please do not hesitate to contact me again.

LAW OFFICES OF  
STEVEN D. STRAUSS

POST OFFICE BOX 11517  
HILO, HAWAII 96721

TELEPHONE (808) 969-6684  
FACSIMILE (808) 934-8898

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May 25, 2001

Randal Q. Cockett, Esq.  
Department of the Attorney General  
101 Aupuni Street, Suite 325  
Hilo, Hawaii 96720

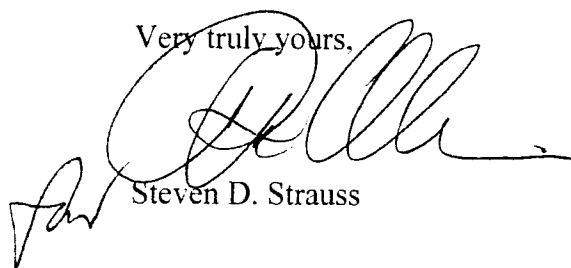
Re: *In the Interest of Peter Kema, Jr.*  
FC-S Nos. [REDACTED] and 98-34

Dear Mr. Cockett:

Enclosed for your information and files are copies of the following:

1. letter dated May 2, 2001 to Peter Kema, Sr. from the National Center for Missing & Exploited Children;
2. letter dated February 28, 2001 to Peter Kema, Sr. from the National Center for Missing & Exploited Children;
3. letter dated February 5, 2001 to Peter Kema, Sr. from the National Center for Missing & Exploited Children; and,
4. letter dated December 4, 2000 to Peter Kema, Sr. from the National Center for Missing & Exploited Children.

Very truly yours,

  
Steven D. Strauss



Charles B. Wang International  
Children's Building  
699 Prince Street  
Alexandria, VA 22314-3175  
The United States of America

Telephone 703.274.3900

Facsimile 703.274.2222

<http://www.missingkids.com>

Branches  
California  
Florida  
Kansas City  
New York  
South Carolina

Adam Walsh Children's Fund



May 2, 2001

Dear Mr. Peter Kema:

Below you will find a list of companies where Peter's picture was sent during the month of April.

Sincerely,

Photo Distribution Staff

<u>Photo Partner</u>	<u>State</u>	<u>Date Sent</u>
Telephone International	TN	04/23/2001

Reference: 844672



February 28, 2001

Charles B. Wang International  
Children's Building  
699 Prince Street  
Alexandria, VA 22314-3175  
The United States of America

Dear Mr. Peter Kema:

Below you will find a list of companies where Peter's picture was sent during the month of February.

Sincerely,  
Photo Distribution Staff

Telephone 703.274.3900  
Facsimile 703.274.2222  
<http://www.missingkids.com>

<u>Photo Partner</u>	<u>State</u>	<u>Date Sent</u>
U.S. Customs Service - CA	CA	02/28/2001

Branches  
California  
Florida  
Kansas City  
New York  
South Carolina

Reference: 844672

Adam Walsh Children's Fund



February 5, 2001

Charles B. Wang International  
Children's Building  
699 Prince Street  
Alexandria, VA 22314-3175  
The United States of America

Telephone 703.274.3900

Facsimile 703.274.2222

<http://www.missingkids.com>

Dear Mr. Peter Kema:

Below you will find a list of companies where Peter's picture was sent during the month of January.

Sincerely,  
Photo Distribution Staff

<u>Photo Partner</u>	<u>State</u>	<u>Date Sent</u>
United Color Publications, Inc.	AL	01/31/2001
U.S. Department of Justice	DC	01/31/2001

Branches  
California  
Florida  
Kansas City  
New York  
South Carolina

Reference: 844672

Adam Walsh Children's Fund





December 4, 2000

Charles B. Wang International  
Children's Building  
699 Prince Street  
Alexandria, VA 22314-3175  
The United States of America

Telephone 703.274.3900

Facsimile 703.274.2222

<http://www.missingkids.com>

Dear Mr. Peter Kema:

Below you will find a list of companies where Peter's picture was sent during the month of November.

Sincerely,

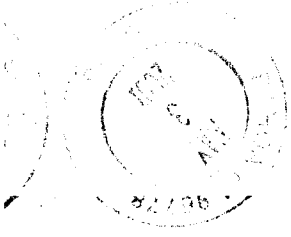
Photo Distribution Staff

<u>Photo Partner</u>	<u>State</u>	<u>Date Sent</u>
True Story	NY	11/29/2000

Branches  
California  
Florida  
Kansas City  
New York  
South Carolina

Reference: 844672

Sam Walsh Children's Fund



Jaylin + Peter Kema  
Gen Del  
Pahoa, HI 96778

1. Article Addressed to:
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
  - Print your name and address on the reverse so that we can return the card to you.
  - Attach this card to the back of the mailpiece, or on the front if space permits.

**SENDER: COMPLETE THIS SECTION**

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X  Agent  Addressee

D. Is delivery address different from item 1?  Yes  No  
If YES, enter delivery address below:

3. Service Type

- Certified Mail
- Registered
- International Mail
- Express Mail
- Return Receipt for Merchandise

520 0025 2166 8187



Department of Human Services  
Social Services Division  
1st Hawaii Child Welfare Services Unit 1

**CERTIFIED MAIL**

PLACE STICKER AT TOP OF MAILPIECE TO THE RIGHT OF RETURN ADDRESS AND FOLD AT DOTTED LINE

JAYLIN & PETER KEMA  
GENERAL DELIVERY  
PAHOA, HI 96778

Postage	\$ .34
Certified Fee	1.90
Return Receipt Fee (Optional)	1.50
Postage & Fees	\$ 3.74

Recipient's Name (Please Print Clearly) (To be completed by addressee)  
JAYLIN & PETER KEMA  
GENERAL DELIVERY  
PAHOA, HI 96778

ERAL DELIVERY

PAHOA, HI 96778

COPY

State of Hawaii  
Department of Human Services  
Family and Adult Services Division  
Telephone: (808) 933-4251

REFERRAL FORM  
(Sent via Certified Mail)

To Jaylin and Peter Kema Date 05/02/01

Re Court Review Hearing Address General Delivery - Pahoa, HI 96778

By [REDACTED] Social Worker Unit 70 Phone [REDACTED]  
Pager [REDACTED]

This Referral Form is being sent to you as a reminder that a court review hearing with regard to your son, Peter Kema, Jr., is scheduled for Thursday, May 24, 2001 at 9:00 A.M. before the Honorable Ben H. Gaddis at the Family Court of the Third Circuit.

Should you have any questions with regard to this hearing, please contact your respective attorneys, Steven Strauss, and Craig Sadamoto. Mahalo for your cooperation.

- cc: Steven Strauss, Esq.
- Craig Sadamoto, Esq.
- Randall Cockett, DAG
- Edith Kawai, GAL

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 05/02/01 Total No. of Pages including Cover Sheet: 2

To: Craig Sadamoto - Atty for Jaylin Kema

Address: \_\_\_\_\_

Phone No.: 935-0033 Fax No.: 935-0050

From: DHS - [REDACTED] MSW

Address: 75 Aupuni St. #112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No.: [REDACTED]

Pager No.: [REDACTED]

Subject: Referral Form

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
FAMILY AND ADULT SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 05/02/01 Total No. of Pages including Cover Sheet: 2

<b>To:</b> <u>Steven Strauss - Attorney for Peter Kema, Sr.</u>	
<b>Address:</b> _____	
<b>Phone No.:</b> <u>969-6684</u>	<b>Fax No.:</b> <u>934-8898</u>

**From:** \_\_\_\_\_ DHS - [REDACTED], MSW, LSW  
**Address:** 75 Aupuni St. Rm.#112 Hilo, HI 96720  
**Phone No.:** [REDACTED] **Fax No.** [REDACTED]  
**Subject:** Letter to Peter & Jaylin Kema

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Review & Comment by \_\_\_\_\_

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
FAMILY AND ADULT SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 05/02/01 Total No. of Pages including Cover Sheet: 2

To: <u>Randy Cockett, DAG</u>	
Address: _____	
Phone No.: <u>933-8883</u>	Fax No.: <u>933-8887</u>

From: \_\_\_\_\_ DHS - [REDACTED], MSW, LSW

Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No.: [REDACTED]

Subject: Referral Form - Jaylin & Peter Kema

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 05/03/01 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Boy Kema</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] MSW, LSW

Address: \_\_\_\_\_

Phone No.: [REDACTED] Fax No.: [REDACTED]

Pager: [REDACTED]

Subject: Letter to Peter & Jaylin Kema

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

Edie -

[REDACTED] will be attending this hearing in my place as I will be on the Mainland on vacation.

Aloha,

[REDACTED]

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.



DMS - CP  
101 Aquino Street  
P.O. Box 41 96720  
P.A.



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C. 20535  
MAY 19 1996



DHS-PW-HILL

00 OCT 11 AM 40

Sept 25, 2010

Dear [REDACTED]

I am writing to <sup>you in</sup> regards of the well-being of my [REDACTED] and [REDACTED]  
[REDACTED]

It has been 6 months since I last heard of any detailed information. I have found out by the media that [REDACTED] has moved to the mainland. I would like to get a forwarding address and/or phone number, so I could communicate with [REDACTED], if it's a possibility.

For [REDACTED] is it a possibility that I still need to talk to [REDACTED] about any information, or am I just banned from communications from anyone regarding the well-being of [REDACTED]

I really do miss [REDACTED]  
very much and right now, I'm in a world of lost without any knowledge of my kids, and I love them very much too.

Please, respond as soon as possible.  
I thank you so much for your time and ~~consideration~~ appreciation.  
I look forward to hearing from you.

Sincerely,

Jayla Kenna

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 6/19/00 Total No. of Pages including Cover Sheet: 1

To: <u>Edith Kawai, GAL for Peter Boy Kema</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] - DHS

Address: \_\_\_\_\_

Phone No.: [REDACTED]

Fax No.: [REDACTED]  
Pager: [REDACTED]

Subject: Letter to Peter & Jaylin Kema

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 6/19/00 Total No. of Pages including Cover Sheet: 1

<b>To:</b> <u>Craig Sadamoto - Attorney for Jaylin Kema</u>	
<b>Address:</b> _____	
<b>Phone No.:</b> <u>935-0033</u>	<b>Fax No.:</b> <u>935-0050</u>

**From:** \_\_\_\_\_ DHS - [REDACTED] Social Worker

**Address:** 75 Aupuni St. #112 Hilo, HI 96720

**Phone No.:** [REDACTED] **Fax No.:** [REDACTED]

**Pager No.:** [REDACTED]

**Subject:** Letter to Peter & Jaylin Kema

**REMARKS:**  Urgent/Reply By \_\_\_\_\_  Info only  **Review & Comment by** \_\_\_\_\_

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
FAMILY AND ADULT SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 06/20/00 Total No. of Pages including Cover Sheet: 1

To: <u>Randy Cockett</u>	
Address: _____	
Phone No.: <u>933-8883</u>	Fax No.: <u>933-8887</u>

From: \_\_\_\_\_ DHS - [REDACTED] Social Worker

Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No. [REDACTED]

Subject: Letter to Peter and Jaylin Kema

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
FAMILY AND ADULT SERVICES DIVISION  
FACSIMILE COVER SHEET

Today's Date: 6/19/00 Total No. of Pages including Cover Sheet: 1

<b>To:</b> <u>Steven Strauss - Attorney for Peter Kema, Sr.</u>	
<b>Address:</b> _____	
<b>Phone No.:</b> <u>969-6684</u>	<b>Fax No.:</b> <u>934-8898</u>

From: \_\_\_\_\_ DHS - [REDACTED], Social Worker

Address: 75 Aupuni St. Rm.#112 Hilo, HI 96720

Phone No.: [REDACTED] Fax No. [REDACTED]

Subject: Letter to Peter & Jaylin Kema

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

State of Hawaii  
Department of Human Services  
Family and Adult Services Division  
Telephone: (808) 933-4251

REFERRAL FORM  
(Sent via Certified Mail)

To Jaylin and Peter Kema Date 6/19/00

Re Court Review Hearing Address P.O. Box 2058 - Keaau, HI 96749

By [REDACTED] Social Worker Unit 70 Phone [REDACTED]  
Pager [REDACTED]

This Referral Form is being sent to you as a reminder that a court review hearing with regard to your son, Peter Kema, Jr., is scheduled for Thursday, June 29, 2000 at 10:30 A.M. before the Honorable Ben H. Gaddis at the Family Court of the Third Circuit.

Should you have any questions with regard to this hearing, please contact your respective attorneys, Steven Strauss, and Craig Sadamoto.

Mahalo for your cooperation.

cc: Steven Strauss, Esq.  
Craig Sadamoto, Esq.  
Edith Kawai, GAL  
Randall Cockett, DAG

4/13/00

ANL Advertiser

# frightens you, press or say 'sell'

## Traders see 1987 in tech shakeout

By Walter Hamilton  
LOS ANGELES TIMES

It could get worse before it gets better.

That was the sentiment among shaken Wall Street professionals yesterday after another technology-sector blood bath yanked the Nasdaq composite index down a jarring 7.1 percent, and put it squarely in bear-market territory.

"This is the first great Internet (and) technology stock shakeout," declared Scott Bleier, chief investment strategist at Prime Charter Ltd. in New York. "Hour-by-hour, the fear is increasing that this is the big one, that this is 1987 for technology stocks."

At yesterday's close of 3,769.63, Nasdaq is nearing the intraday bottom reached on April 4, the day the index plunged almost 14 percent to as low as 3,649.11 in the morning before staging a furious afternoon recovery that erased most of the day's losses.

Though that afternoon rally was impressive, many experts predicted at the time that another drop would follow soon. Simply put, the slide was too short-lived to mark a permanent bottom in the market, many analysts argued.

What was needed, they said, was a longer and more painful sell-off that would truly rattle investors' nerves. In other words, short-term traders and other "weak" hands had to be shaken out of the stocks, thus leaving shares in the hands of only the longest-term and most committed investors.

That process is still going

See SHAKEOUT, A7

# Case going to Hilo grand jury

## Prosecutor gets police findings

By Hugh Clark  
ADVERTISER BIG ISLAND BUREAU

HILO, Hawaii — Big Island authorities expect to present evidence to a grand jury within the next several months on the 1997 disappearance of 6-year-old Peter Kema Jr.

Police recently presented a report summarizing their investigation to the Hawaii County Prosecutor's Office, which is preparing to bring the case before a grand jury, people familiar with the investigation say.



**PETER BOY:** Investigation has been "very active"

"This has been a very active case, and we are hoping for a conclusion in the near future," Assistant Police Chief Wendell Paiva said yesterday.

"Peter Boy" was last seen in February 1997. The boy's father, Peter Kema Sr., said they both traveled to Hilo in August 1997 and, in a moment of desperation, he gave Peter Boy away to a family relative because he did not have money to care for him.

It was not until January 1998 that police were told that the boy was missing.

Both Peter Sr. and Jaylin Kema, the boy's parents, have declined to speak publicly about their missing son for almost two years.

Big Island authorities have been criticized for their handling of the case. Child advocates and state officials expressed frustration that nearly three years after his disappearance, no trace of the child could be found. The state House passed a resolution

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## U.S. soldiers reported in several brawls in Macedonia

ASSOCIATED PRESS

**SKOPJE, Macedonia** — Drunken U.S. soldiers clashed with locals and police yesterday, leading Macedonian authorities and NATO military police to detain 30 of them, the Macedonian Interior Ministry said.

NATO and U.S. military officials confirmed disturbances in three separate instances involving American troops in Skopje, the Macedonian capital, but said only five were temporarily detained by Macedonian police, who later turned them over to U.S. military authorities. The Americans were from Kosovo and were on leave in Skopje, they said.

Later, in a statement released by the public affairs office at Camp Bondsteel, the headquarters of U.S. forces in Kosovo, officials said two soldiers had been held by Macedonian authorities.

The Macedonian Interior Ministry statement said the soldiers, members of NATO-led peacekeeping troops stationed in Macedonia, were detained in connection with "indecent behavior, violation of public order, harassment of citizens and a fight involving a policeman." Some were drunk, the statement said.

Macedonia serves as a staging ground and a supply route for international peacekeepers in Kosovo. Speaking in Skopje for KFOR, the NATO-led peacekeeping force, Capt. Andreas Reinecke said KFOR "deeply regrets these incidents."

# Missing: Grand jury to get Peter Boy case

FROM PAGE ONE

asking the U.S. Department of Justice and the state attorney general to investigate the way police handled the case, and the Senate is now considering the measure.

The case, Paiva said, "has been given top priority since Day 1."

"Not a day goes by when we are not aware of Peter Boy. We are going to find him or those responsible."

Last month, the case was reassigned to deputy prosecutor Lincoln Ashida, Hawaii County's expert on felony cases involving sexual assault and child abuse.

### Mainland specialists

Ashida yesterday declined to comment on the Kema case, other than acknowledge he is now leading the prosecution with the help of another deputy.

Paiva said detectives and prosecutors have gone to the Mainland twice to meet with witnesses in the past year. Mainland specialists on missing children also have come to the Big Island to consult with police.

What police do know about Peter Boy was that he was the victim of child abuse, suffering a broken arm and other injuries.

Paiva said police thoroughly investigated the claim of Peter Kema Sr. that he gave his son to a relative known as Auntie Rose Makuakane at Aala Park in Honolulu. "We have not been able to confirm there is any Rose Makuakane," Paiva said yesterday.

Paiva and Police Chief Wayne Carvalho said yesterday the case been challenging because there was such a long delay in the report that Peter Boy was missing. Carvalho said police were also blocked by

state secrecy provisions governing family court and the state's Human Services Department.

Peter Boy lived in Puna at Nana-wale Estates when he was last seen, but his family had moved almost 30 miles away to the Kaumana neighborhood of Hilo by the time police began their investigation.

### Schools questioned

Since January 1996, police have searched areas of Puna and Hilo on both sides of the Waialuku River. They sought records at more than 100 schools statewide to ensure that Peter Boy had not been enrolled under a different name.

Carvalho said the legislative resolution urging a review of the department's investigation is ill-timed.

Carvalho said he was troubled that neither House member Dennis Arakaki (D-Kalihi Valley, Kamehameha Heights), who drafted the resolution, nor Rep. Eric Hamakawa (D-Hilo), who heads the House Judiciary Committee, got in touch with him before the vote on the resolution.

In a letter he sent Tuesday to state Sen. David Matsuura (D-S. Hilo, Puna), Carvalho said:

"Had either Rep. Hamakawa or his colleague Dennis Arakaki called us (even though it is the department's policy not to comment about ongoing investigations), we could have updated them with enough information on the progress of the investigation and may have saved themselves considerable embarrassment.

"We are working closely with the Hawaii County Prosecutor's Office to ensure a successful resolution of the case in a court of law, not in the court of public opinion."

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since 1979





# Family Court Hearings

SW WAB  
BV \_\_\_\_\_  
CLV \_\_\_\_\_  
SSA \_\_\_\_\_  
CLV \_\_\_\_\_ Case Record

JP06 \_\_\_\_\_  
JD12 \_\_\_\_\_

CASE NAME Kenna, Jaylin CPSS 10780 DATE 1/13/00

Time Scheduled: 9:25 <sup>10:30</sup> Actual Start: \_\_\_\_\_ Ending Time: \_\_\_\_\_

Children: Peter Kenna, Jr.

Issue Before the Court: TFC TFS FC FS INIT FS REV PC PC REV ADP

Motion For / Other: review hrg.

Presiding Judge: Stadis

Present:

CPS: [REDACTED] DAG: Auna GAL: +

Mom: Jaylin Kenna Dad: Peter Kenna, Jr.

Mom Atty: Sadamato Dad Atty: Strauss

Others Present: [REDACTED]

ORDERED: TFC TFS FC FS PC Effective: \_\_\_\_\_

TFC CONT TFS CONT FC CONT FS CONT PC CONT

DHS Reported Date \_\_\_\_\_ Admitted Into Evidence \_\_\_\_\_

SP / RSP Dated \_\_\_\_\_ Ordered \_\_\_\_\_ Modifications: YES NO

NEXT REPORT DUE \_\_\_\_\_

NEXT HEARING 1/18/00 - 1:00 PM

Special Orders: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Comments regarding court hearing, questions regarding service plan, visitation, etc...)**

① Discussion off the record regarding pregnancy  
- DHS free to follow up with police, as needed.

② [REDACTED] - excused from hrs subject to recall

**FOR SSA IV**

CA/CU 28

Date Inputed: \_\_\_\_\_

Initial: \_\_\_\_\_

CA/CU 52

Date Inputed: \_\_\_\_\_

Initial: \_\_\_\_\_

\_\_\_\_\_  
Unit Supervisor Sign Date



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
East Hawaii Intake/Assessment Unit  
120 Pauahi Street, Suite 210  
Hilo, Hawaii 96720  
Telephone: (808)933-0350

January 12, 2000

CHILD WELFARE SERVICES  
Social Services Center

JAN 13

EH Child Welfare Service I  
Hilo, Hawaii

The Honorable Ben H. Gaddis  
345 Kekuanao'a Street  
Hilo, Hawaii 96720

Dear Judge Gaddis:

This is to request a protective order, authorizing police assistance and escort to DHS into the home of Jaylin and Peter Kema Sr. The family has a lengthy history with the Department of Human Services, which resulted in the removal of the [REDACTED] Kema children from the couple's care. In particular, there is continued concern for the couple's missing child, Peter Kema Jr.

On January 10, 2000 the Department received a Child Protective Services ("CPS") referral from the police, alleging threat of abuse and neglect to a male infant who was alleged to have been born sometime in late 1999. The biological parents of the child are identified as Jaylin ("Mother") and Peter ("Father") Kema Sr. On January 10, 2000 a reliable reporter informed the Department and police that Mother has been seen at a local church on a monthly basis for food staples. This reporter observed that Mother appeared pregnant until late December 1999, at which point she appeared to have lost a significant amount of weight. This reporter asked Mother whether she gave birth, and Mother responded that the child was a male and that it "didn't make it."

On January 11, 2000 Dr. Kelvin DeGinder, Hilo physician, confirmed that Mother was his patient. His last contact with Mother occurred in August 1999 for a routine check-up for her diabetic condition. Dr. DeGinder received a request for a referral from OBGYN, Dr. Paul Johnston, of Waimea, in October or November 1999 to allow him to follow-up with Mother's pregnancy. Dr. DeGinder also stated that Mother informed him that she was pregnant. It was also Dr. DeGinder's understanding that Mother went to live with family in the Waimea area, and believes that she may have given birth before the Christmas holiday.

On January 11, 2000 an attempt was made to contact Dr. Paul Johnston; however, he was unavailable. A telephone return call from Dr. Johnston is pending. Upon request, Dr. Johnston's office manager looked through the patient records and could not locate Jaylin Kema's file.

On January 11, 1999 a DHS social worker received an anonymous telephone call who reported that Mother was observed to be pregnant on December 28, 1999; however, the next day, she no longer appeared pregnant. On December 29, 1999, the reporter observed Mother with bruises on her arms and around her eyes. Reportedly, Mother divulged to the reporter that she was seven months pregnant when she lost the child.

Based on the information provided above, DHS and the police went to the Kema's residence and related the information to Mother and Father. Mother vehemently denied that she was pregnant and stated that she underwent a tubal ligation procedure in 1996 by Dr. Ian Ebesugawa. Mother further denied staying with family in the Waimea area or that she was seen by an OBGYN in Waimea. She also stated that she never related to anyone that she was pregnant and recently lost a child.

Mother and Father were asked whether DHS and the police could enter the family home, but they declined without the existence of a search warrant.

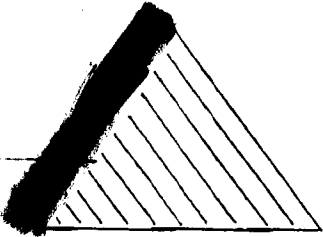
Respectfully submitted,

[Redacted Signature]

Social Worker IV  
East Hawaii Intake/Assessment Unit

Reviewed by:

[Redacted Signature]  
Supervisor  
East Hawaii Intake/Assessment  
[Redacted Signature]



Division

FAX COVER SHEET

DATE: 01/12/00

TO: [Redacted]  
Section Admin.  
SSD/EH CWS

PHONE: [Redacted]  
FAX: [Redacted]

FROM: [Redacted]  
Eligibility Branch  
Administrator

PHONE: [Redacted]  
FAX: [Redacted]  
PAGER: [Redacted]

RE: Release for Peter J. Kema, Jr.

Number of pages including cover sheet: 2



Thanks very much for your help in this matter. [Redacted] will be the entity to release the information. Could you please sign this FAX – and then send the original to:



PO Box 1220  
Honolulu, HI 96807-1220



I will be informing [Redacted] that he will need to obtain the other releases since I am having difficulty in getting them. Thanks again for all of your help.



**AUTHORIZATION TO RELEASE RECORDS**

I, [REDACTED] (please print), hereby request and authorize [REDACTED] to release to Hawaii County Prosecutor's Office information related to any and all services rendered to Peter J. Kema, Jr. under [REDACTED] between the service dates 5/01/91 and current. This information may include, but is not limited to, records (claims history and any other) related to mental health, substance abuse, AIDS and/or HIV.

[REDACTED]  
Name  
Department of Human Services  
East Hawaii Child Welfare Services Admin.  
Relationship/Legal Status

[REDACTED]  
Social Security Number

01/12/00  
Dated

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 07/28/99 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Boy Kema</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] - DHS

Address: \_\_\_\_\_

Phone No.: [REDACTED] Fax No.: [REDACTED]

Pager: [REDACTED]

Subject: Editorial from Honolulu Advertiser

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Review & Comment by \_\_\_\_\_

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.

# EDITORIAL

WEDNESDAY • JULY 28, 1999

## The Honolulu Advertiser

Established July 2, 1856

Thurston Twigg-Smith, Chairman  
Michael J. Fisch, President and Publisher  
Jim Gatti, Editor  
Jerry Burris, Editorial Page Editor  
George Chaplin, Editor at Large

Published by Gannett Pacific Corporation / Stuart T.K. Ho, Chairman

### Privacy, Peter Boy: What accountability?

A series of Advertiser articles about a missing child, Peter Kema Jr., has already helped stimulate the Legislature to make important changes in the way the Department of Human Services handles child-abuse cases. Clearly the particulars of this case — many of which have never been revealed — are of great public interest.

Seven-year-old "Peter Boy" disappeared in 1997, but was only reported missing last year. His father told authorities he had given the boy to a woman who has never been located; neither has the boy.

An important issue, The Advertiser has felt all along, is whether Hawaii County police and state Child Protective Services responded properly in this case. The object was not only to open possible new avenues in the search for Peter Boy, but to inspire better performance in the many cases that are sure to follow.

In an attempt to review official actions, The Advertiser last year asked the Family Court judge who handled the case, Judge Ben Gaddis, for a look at some of the pertinent court records. He agreed.

It was clear from the beginning, however, that a serious complication involved the privacy of Peter Boy's siblings, who also had come under the purview of CPS. Judge Gaddis felt he could protect those interests with a felt-tip pen: He simply crossed out all references in the records that would jeopardize the privacy of the siblings and prepared to turn the records over to this newspaper.

Last November, however, the Hawaii Supreme Court disagreed with Gaddis and refused to allow release of those records. At the time, it promised a written explanation. That explanation was released this week.

The high court ruled that Peter Boy's records are so intertwined with information about his siblings that even Judge

Gaddis' efforts to redact the records couldn't protect their legitimate privacy interests.

It's unclear if high court justices examined the records, line by line, as Gaddis did. If they didn't, their second-guessing of a respected judge very much in command of his field may have reached too far.

Ironically, Peter Boy's siblings, with their step-parents, had appeared in an Advertiser interview, voluntarily discussing — in gritty detail — just the issues the Supreme Court sought to protect.

But while the particular case remains murky, a larger, more positive precedent has been set:

The Supreme Court has agreed — the first time in Hawaii history — with the argument advanced here by The Advertiser that some Family Court records may be released if the possible benefit to a child outweighs the child's privacy rights.

It is an important balancing test that, properly, puts the emphasis where it should be: on the welfare of the child.

This to us seems overwhelmingly to be the case with Peter Boy. How can we fret about his privacy when we don't even know if he's alive?

In short, the Supreme Court has not answered all questions but at least has more sharply framed the issue:

How can we best balance the public interest in establishing accountability for public servants charged with protecting children against legitimate interest in protecting the privacy of those same children?

It shouldn't take another long series of test cases to answer this question. If everyone involved looked first and foremost at the well-being of the child, the right course of action would become apparent.

Our hunch is that in almost all cases, those best interests will be served by sharing — rather than withholding — information.

### AOL

The online com fighting along t Microsoft to ct industry — are kind of hubris t Gates in trouble

Steve Case is America Online's headquarters near popping jelly bear putting his sneaker conference table ing his best to live tion as an unbutt CEO.

But while putt show, Case outtr strategy to make valuable and reap Earth." It's a str other things, puts Internet dynam course with Micro tion of the technol

An early sign o last week as AO sparred over "his AOL pioneered th crossfit recently d system that mimic allows AOL users that instantly pop AOL fought back Microsoft; Micro: a software patch; a block that as well.

Case, like man sees the industry e phase. The perso be supplemented i vices — wireless computers, Web/T connect to the Int proprietary Wind

### Purs

It's Hillary Clir fashioned idea-service, power of institutions behind her driv Senate seat.

When New Yor gan urging Hillary to run for the U.S. ple didn't take it ser Not that she wo



# Family Court Hearings

SW  
BV  
CLV  
SSA  
CLV Case Record

DEPT OF SOCIAL SERVICES  
Social Services

JP06  
JD12

JUL 26 1999

EH Child Welfare Service I  
Hilo, Hawaii

CASE NAME Kama, Jaylene CPSS # 10780 DATE 7/15/99

Time Scheduled: 10:00 Actual Start: 10:35 Ending Time: \_\_\_\_\_

Children: Peterson

Issue Before the Court: TFC TFS FC FS INIT FS REV PC PC REV ADP

Motion For / Other: \_\_\_\_\_

Presiding Judge: Huddles

Present:

CPS: [Redacted] DAG: Alej Auna GAL: Edie Hauwa

Mom: Jaylene Kama Dad: Peter Kama

Mom Atty: Craig Sodomato Dad Atty: Steve Strauss

Others Present: [Redacted]

ORDERED: TFC TFS FC FS PC Effective: \_\_\_\_\_

TFC CONT TFS CONT FC CONT FS CONT PC CONT

DHS Reported Date \_\_\_\_\_ Admitted Into Evidence \_\_\_\_\_

SP / RSP Dated \_\_\_\_\_ Ordered \_\_\_\_\_ Modifications: YES NO

NEXT REPORT DUE \_\_\_\_\_

NEXT HEARING 1/13/2000 94117

Special Orders: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Comments regarding court hearing, questions regarding service plan,  
visitation, etc...)

FOR SSA IV

CA/CU 28

Date Inputed: 7/30/99

Initial: 

CA/CU 52

Date Inputed: 7/30/99

Initial: 

  
\_\_\_\_\_  
Unit Supervisor Sign

7/26/99  
\_\_\_\_\_  
Date

## IN BUSINESS

Japan's largest airline comes under attack from a major shareholder.

• Inside, B6



IN HAWAII B2  
 OBITUARIES B2  
 OAHU BRIEFS B3

TUESDAY • JULY 27, 1999

CITY DESK • 525-8090

# Privacy issues figure into Peter Boy ruling

## File won't be released

By **Walter Wright**  
 ADVERTISER STAFF WRITER

Family Court records about missing Big Island boy Peter Kema Jr. cannot be released because they are intertwined with information about siblings whose privacy should be respected, the Hawaii Supreme Court ruled yesterday.

The opinion explained the high court's initial rul-

ing last November denying The Honolulu Advertiser's request for the Family Court file.

The decision reversed a ruling by Big Island Family Court Judge Ben H. Gaddis that the file could be made public if information about the siblings was "redacted," or blacked out, on the copies.

Media attorney Jeff Portnoy, who represented The



**PETER KEMA JR.:** Record stays private

Advertiser, said he was pleased the Supreme Court had agreed for the first time in Hawaii history with The Advertiser's fundamental argument that some Family Court records could be released if the possible benefit to a child outweighed the child's privacy rights.

Portnoy said public release of the Peter Boy file might give rise to information about the whereabouts of the 7-year-old who was reported missing in 1998.

But Portnoy said he was disappointed the high court chose to substitute its own belief about whether the file could be sufficiently

screened to protect the other children over the judgment of the Family Court judge who had reviewed the file word for word.

The newspaper request for the records was opposed by the boy's father, Peter Kema Sr., and mother, Jaylin Kema, and the father of the siblings, as well as by the Department of Human Services.

A series of Advertiser articles about the missing child raised concerns about the way the Department of Human Services was handling child-abuse cases. The Kema case is still under investigation.

STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 05/28/99 Total No. of Pages including Cover Sheet: 2

To: <u>Edith Kawai, GAL for Peter Boy Kema</u>	
Address: _____	
Phone No.: <u>885-0788</u>	Fax No.: <u>885-0952</u>

From: [REDACTED] - DHS

Address: \_\_\_\_\_

Phone No.: [REDACTED] Fax No.: [REDACTED]

Subject: Appointment letter to Kemas

REMARKS:  Urgent/Reply By \_\_\_\_\_  Info only  Comment by \_\_\_\_\_ Review &

Edie -

I'm sending the letter to the Kemas certified - I'll let you know if I get a response. You are welcome to join me for the appointment or provide me with questions which you would like me to ask them.

I don't really expect a reply but I am making the effort for court purposes.

Thanks!

[REDACTED]

DEPARTMENT OF HUMAN SERVICES  
Family and Adult Services Division  
75 Aupuni Street, Room 112  
Hilo, HI 96720  
Telephone: [REDACTED]

May 28, 1999

Mr. & Mrs. Peter Kema Sr.  
P.O. Box 2058  
Keaau, HI 96749

Dear Jaylin and Peter:

I would like to arrange to see you at my office on Tuesday, June 8, 1999 at 8:30 A.M.

I hope you will be able to meet at this time. If not, please call me [REDACTED] so that we can arrange a more convenient time. If I am not available to receive your call, please leave a message of a date and time you will be able to meet and a phone number where I may reach you.

As you know, there is a return court hearing date in Peter Boy's case scheduled for July 15, 1999 at 10:00 A.M. The purpose of my meeting with you would be to obtain whatever information you might wish to share with me regarding Peter Boy and/or your circumstances so that I might make a report to the court.

Mahalo for your cooperation.

Sincerely yours,

[REDACTED]  
[REDACTED]

Social Worker

cc: Edith Kawai, GAL  
Aley Auna, DAG

DEPARTMENT OF HUMAN SERVICES  
Family and Adult Services Division  
75 Aupuni Street, Room 112  
Hilo, HI 96720  
Telephone: 933-0659

May 28, 1999

Mr. & Mrs. Peter Kema Sr.  
P.O. Box 2058  
Keaau, HI 96749

Dear Jaylin and Peter:

I would like to arrange to see you at my office on Tuesday, June 8, 1999 at 8:30 A.M.

I hope you will be able to meet at this time. If not, please call me at [REDACTED] so that we can arrange a more convenient time. If I am not available to receive your call, please leave a message of a date and time you will be able to meet and a phone number where I may reach you.

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Mahalo for your cooperation.

Sincerely yours,

[REDACTED]  
Social Worker

cc: Edith Kawai, GAL  
Aley Auna, DAG

CHRISTOPHER E. BARTHEL, III, Ph.D.

Psychologist, Hawaii Certified

P.O. Box 1811

Kamuela, Hawaii 96743

(808) 775-9147 • Hilo Telephone (808) 961-2525

March 12, 1999

Dept. Of Human Services  
Child Welfare  
Attention: [REDACTED]  
75 Aupuni Street, Room 112  
Hilo, Hawaii 96720

Re: In the Interest of the  
[REDACTED] Kema Children  
Fc-S Nos. [REDACTED] and 98-34

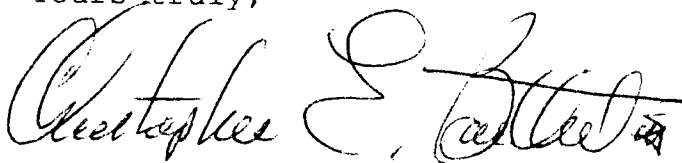
Dear [REDACTED]:

Back in September, 1998, I completed a report on the Kemas, provided a bill to Peter Kema's attorney, and then learned that Judge Gaddis had ordered that the bill be paid. In speaking with [REDACTED], I learned that she had only recently learned of the bill through a discussion with Steven Strauss last week at District Court. She further stated that she was not aware that CWS had ever received a copy of my report.

Enclosed you will find a copy of my report on the Kemas, dated September 7, 1998; my bill, dated September 10, 1998; and a copy of Judge Gaddis's Order, dated September 22, 1998. I would greatly appreciate it if you would expedite the payment of the bill for my services.

Many thanks.

Yours truly,



Christopher E. Barthel, III, Ph. D.  
Psychologist, Licensed Hawaii

CHRISTOPHER E. BARTHEL, II, Ph.D.

Psychologist, Licensed Hawaii

P.O. Box 1811

Kamuela, Hawaii 96743

(808) 775-9147 • Hilo Telephone: (808) 961-2525

September 7, 1998

PSYCHOLOGICAL REPORT

Re: Jaylin and Peter Kema  
FC-S Nos. [REDACTED] 98-34

Recently Steven Strauss, attorney for Peter Kema, requested that I write a brief report for the Family Court in my role as psychotherapist for Peter and Jaylin Kema. I was asked to focus on the nature and status of the work we have been doing, to offer any conclusions or recommendations regarding visitation and custody, and to provide any comments on recent evaluations done by Stephen Choy, Ph. D.

Brevity is not one of my strong points and, given the complexity of the Kema situation, the history of issues and interventions over considerable years, it will be difficult to be brief. But I will try to do my best.

Therapeutic Issues. The Kemas have been in therapy with me since the summer of 1991 with a gap between spring of 1995 and April of this year. Prior to those contacts, in 1985, I had seen Peter when he was a teenager going to Waiakea High School and living with his sister Rachel's family. Over the time span, we have pursued individual counseling, joint/couple work, and a brief attempt at family counseling involving Jaylin and Peter and [REDACTED]. Despite this lengthy history of intervention and all of the data produced, I will primarily focus on counseling since April of this year, after the missing status of Peter Boy brought numerous agencies into the picture.

Essentially, in treatment, we have primarily focused on the effects of the onslaught of interventions from a variety of sources (CPS/CW, the police, the Family Court, the media, etc., e. g.) on these parents. My purpose has been to serve as a listener and sounding board to Jaylin and Peter's anxieties, pressures, and reactions to what has been a rather overwhelming set of events. I have attempted to assist the couple in assessing their reactions to both external and internal pressures, in finding support from within themselves individually and as a couple, and to psychologically bolster themselves as the pressures continue. Given the magnitude of the stressors, both Peter and Jaylin are managing to hold up relatively well.

The stresses of the last four months have seemed to strengthen the relationship between Jaylin and Peter; adversity or crises often brings folks together. But their vulnerabilities manifest themselves understandably and follow the general patterns that both



PSYCHOLOGICAL REPORT

Re; Jaylin and Peter Kema (FC-S Nos. [REDACTED];98-34)

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young people have exhibited as part of their personalities.

Under significant stress, Peter can become anxious, tense, fidgety, and "wired." He can have trouble sleeping well, can brood, and may become depressed. In the past, he has developed reactions to stress that have involved anger, substance use, and somatization. Currently I am unaware of any significant use of alcohol, marijuana, or any other mind-altering substance. As far as anger is concerned, Peter acknowledges considerable frustration and anger, particularly towards intervening systems, but his expression of these feelings over the past four months has appeared controlled and appropriate. Occasionally he may giggle or laugh when stressed which may appear inappropriate to some but which serves as a release valve for Peter. In April, before starting to see him, I had expressed concerns about Peter's possible volatility and/or explosiveness, particularly in the face of interventions that would include the [REDACTED]. [REDACTED] Fortunately and to Peter's credit, my concerns have proven to be unfounded.

Jaylin, when confronted with lots of stress, appears to avoid, shut down, or become passive. In the past, she would fail to comply or follow through on agreements, particularly involving planned contacts between her [REDACTED] and her family. She, like Peter, can become depressed but in her case she would tend to oversleep, to divert her attention through other activities (e.g., shopping, eating) and to "tighten up" on stressors (e.g., keep records, make phone calls, seek advice). Currently Jaylin seems to be displaying appropriate action: she maintains appointments, seems several steps ahead of things, has been successful in entering community college, etc.

Both Peter and Jaylin are alike in their strong feelings about the removal of [REDACTED]; they feel the absence of [REDACTED] keenly. They have a number of appropriate concerns over the welfare of [REDACTED] and over the parent-child isolation that has existed over the past few months. To be sure, Jaylin and Peter also have strong ego or self concerns over the way they see themselves being treated but most of these concerns have relevance to their role as parents.

Both Jaylin and Peter have particular sensitivities that we have discussed in therapy and that we plan to work on more intensely once the current, high level of pressures subsides. With Jaylin, the heaviest issue is her childhood sexual abuse by her [REDACTED] uncle and by [REDACTED]. These abuse situations have never been significantly addressed within her family nor psychotherapeutically. Jaylin's reactions have been to be traumatized and her trauma has not abated over the years. The alienation, resentment, and avoidance that has existed between Jaylin [REDACTED] over a number of years primarily rests on the unresolved sexual abuse issues. Jaylin has been hurt and angered, has felt this way for years, and

PSYCHOLOGICAL REPORT

Re: Jaylin and Peter Kema (FC-S Nos. [REDACTED] 98-34)

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September 7, 1998

holds further feelings that she has been disregarded if not betrayed by [REDACTED]. The current anxieties of Peter's disappearance and the barrage of interventions tend to "piggy-back" on Jaylin's earlier sexual trauma. Thus she is having nightmares, occasional flashbacks, and increased sensitivity toward her abuse and towards a sense of victimization.

Peter's greatest sensitivity is his orientation toward family. His sensitivity arises from his early loss of both parents, the fragmentation and conflict that occurred within the remaining family, and his early hurts regarding loss and belonging. These issues have been reinforced by continuing pilikia within the extended family, by the loss of a number of siblings through health-related early deaths, and by Jaylin's unsuccessful pregnancies on two occasions. Thus it is understandable that Peter would be sensitized to problems occurring within his own family: the removal of [REDACTED], the perceived "threat" of intervening forces into his family "kuleana," perceived lack of respect for him as a person and father, etc. Understandably, Peter has been very affected by the conflicts between Jaylin [REDACTED]. He has tried to remove himself but has been drawn in, wishing for a more ideal "family-ness" among all concerned. When he senses Jaylin's resentment, the relationship between Jaylin and Peter is tested, often to the point of hurt and strain.

Fortunately both Peter and Jaylin seem to understand their pressure points and are very willing to explore ways of dealing with them.

Parenting. In the "old days" (1991-1995), I was able to observe Peter and Jaylin interacting with [REDACTED], particularly with [REDACTED]. During those occasions, I seldom saw any parenting glitches and never any evidence of inappropriate discipline. Jaylin had the most parenting "knowledge" but both were nurturing.

As noted earlier, the removal of [REDACTED] over the past four months and the curtailment of even supervised visits has been a source of considerable pain to both Peter and Jaylin. They are concerned over the prolonged isolation, the lack of communication, and the possible feelings of abandonment of [REDACTED] and particularly [REDACTED] who is separated in foster care from [REDACTED]. The concerns of Peter and Jaylin appear to be echoed by [REDACTED]: Joseph Bratton, the psychologist who is [REDACTED] therapist, noted to me that although [REDACTED] all seem to be adjusting to foster care all right, [REDACTED] miss their folks very much and want to see them.

Of course, the views and emotional responses of both Peter and Jaylin towards their sense of family and their role as parents will be strongly affected by the personality dimensions and reactions dis-

PSYCHOLOGICAL REPORT

Re: Jaylin and Peter Kema (FC-S Nos. [REDACTED] 98-34)

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September 7, 1998

cussed in previous pages. As with many parents, there may be times, usually during strong stress, when emotionally-based needs of either parent could outweigh the needs of the other parent, of extended family, or of the children. I have no definitive evidence, however, that such situations have resulted frequently or have involved physically abusive behavior.

Comments Concerning Current Psychological Evaluations. AS requested, I was able to review the evaluations provided by Dr. Stephen Choy on Peter and Jaylin. I have not received the completed, "full" report on [REDACTED]. Essentially, Dr. Choy's reports are excellent in their presentation of a number of hypotheses derived from interview and/or test data. Those professional hunches then need to be explored, either through further investigation of "real world" data or through behavior exhibited in various service plan/treatment endeavors.

My viewpoint regarding the results of psychological testing is that they also provide hypotheses or guesses about an individual that then need to be validated (or invalidated) through a variety of other means. Such hypotheses should never, in my mind, be taken as definitive evidence of anything. Therefore my primary concern over Dr. Choy's reports is when his test interpretations are worded in very strong, almost definitive language, as opposed to the more tentative, hypothesis-based approach that I advocate. Thus, for example, Peter's hypothesized difficulties in anger management would best be "tested" by those that have seen his behavior or who can set up ways to "test" his reactions in the future. Again, for example, Dr. Choy's report may say that Peter shows "a tendency to be impulsive," "little thought on his part regarding the consequences of his actions" and "poor anger management and a low tolerance for frustration." Yet I am unaware of any other clear data that significantly show any of these hypothetical psychological states on Peter's part over the past four months of highly frustrating, interpersonally intrusive, and psychologically challenging/stressful events.

Despite my somewhat different outlook regarding evaluations, the relative severity of Dr. Choy's hypotheses concerning Jaylin and Peter's abilities to provide a safe, protected home for [REDACTED] warrants equally strong initial respect, followed by thorough assessment of appropriate, focused, and complex intervention strategies to insure the safety of [REDACTED]. Jaylin and Peter appear willing to undergo any such intervention services. Their ability to use those interventions seem promising from where I stand in my work with them. However, I would be the first to say that "the proof is in the pudding" and that, in this case, the pudding's recipe needs to be well thought out and monitored during initial implementation.

Recommendations. Decisions related to the visitation and custody of [REDACTED] need to be based on a multitude of views and findings, of course. Important to me as a psychologist

PSYCHOLOGICAL REPORT

Re: Jaylin and Peter Kema (FC-S Nos. ██████████, 98-34)

Page 5

September 7, 1998

and consultant would be the input of folks like Joseph Bratton who is offering counseling to ██████████, of the respective foster parents in terms of observed behavior of ██████████ under their care, of any persons who have served as supervisors of visitations between the young parents and ██████████ and of Edith Kawai, GAL, who has years of overview experience regarding this complex situation.

The data currently available to me does not preclude visitations between the Kema parents and ██████████. In fact, I believe such visitations are very important for the welfare of all concerned, unless other definitive evidence shows otherwise. If risk is a factor, then supervised visits are indeed in order, both to provide safety and to generate further data for future decisions.

Regarding custody, I again have no strong data that would indicate that custody should not remain with Jaylin and Peter. Of course, I think input from the children's therapist is essential as is psychosocial data regarding ██████████ or any other contender for custody.

Whatever the outcome of the immediate Family Court process, I strongly recommend that

- Peter explore, through counseling, his sensitivities/vulnerabilities regarding his past, his views of family, and his ways of handling his frustrations and anger.
- Jaylin begin in-depth therapeutic work individually on her sexual abuse as a child.
- Jaylin and ██████████ commit themselves to active, long-term counseling relating to the sexual abuse and to its effects on their relationship. Peter should be involved in this pursuit later in its development. Jaylin's uncle and brother should ideally receive some treatment as perpetrators and, then, participate in the family work, if deemed therapeutically appropriate.
- ho'oponopono be re-explored as a means of addressing the layers of problems manifest in the Kema/████████ family situation.
- both Jaylin and Peter continue to seek marital counseling to explore and, hopefully, strengthen their relationship.
- both parents and ██████████ have some form of family work to help them understand the powerful impact that 1998 has had on their lives.
- both parents seek specialized parenting counseling in order to better understand and provide positive input to ██████████ regarding the disruption and fragmentation of the immed-

PSYCHOLOGICAL REPORT

Re: Jaylin and Peter Kema (FC-S Nos. [REDACTED] 98-34)


Page 6

September 7, 1998

iate family system, the strained, distanced relationships with the [REDACTED] and [REDACTED] the "craziness" of the media intrusions in their lives, and the ways to proactively deal with all of these issues as [REDACTED] pass through future stages of development.

Over the past several months, both Jaylin and Peter have asserted that they would do "anything" asked of them in order to prove their sincerity and worth as parents and in their wanting [REDACTED] reunited with them. My impression is that their assertions are sincere and that they would engage in whatever would be part of a service plan for them and [REDACTED]. Their ability to profit from these services will not, therefore, be in jeopardy because of motivational issues. What will make a difference are (1) their being able to see individualized, specific relevance of the services to the needs of their family system, (2) the motivation and involvement of other parties involved in the services (e. g., [REDACTED], [REDACTED], service providers and systems agents), and (3) their simultaneous work on the significant, underlying issues in each of their lives that I have previously articulated (pp. 2 & 3) and which so strongly appear to have affected their approach to family issues over the years.

Please let me know if significant questions arise from this report or if further opinion or recommendations are needed.

  
Christopher E. Barthel, III, Ph. D.  
Psychologist, Licensed Hawaii

**CHRISTOPHER E. BARTHEL, III, Ph.D.**

*Psychologist, Licensed Hawaii*

P.O. Box 1811

Kamuela, Hawaii 96743

(808) 775-9147 • Hilo Telephone: (808) 961-2525

September 10, 1998


Peter Kema, Sr.  
c/o Steven D. Strauss, Attorney  
P. O. Box 11517  
Hilo, Hawaii 96721

Re: In the Interest of the [redacted]  
Kema [redacted]  
FC-S Nos. [redacted] and 98-34

For psychological services, as follows:

Record review and report preparation for report to Court, dated 09/07/98 4.5 hours @\$150/hr.....	\$675.00
State 4% tax.....	<u>27.00</u>
<b>TOTAL BALANCE DUE.....</b>	<b>\$702.00</b>

MAHALO



Christopher E. Bartnel, III, Ph. D.  
Psychologist, Licensed Hawaii

**EXHIBIT I**

ORDER

The Court having considered Father Peter Kema, Sr.'s Ex Parte Motion for Costs of Expert Witness Fees, and the Department of the Attorney General no opposition thereto and good cause appearing,

IT IS HEREBY ORDERED that Father Peter Kema, Sr. is allowed costs of expert witness fees not to exceed \$ 702.00

IT IS SO ORDERED.

Dated: Hilo, Hawai'i, SEP 22 1998, 1998.

**BEN H. GADDIS (Seal)**

---

HONORABLE BEN H. GADDIS  
Judge, Third Circuit Family Court

Law Offices Of  
STEVEN D. STRAUSS  
P.O. Box 11517, Hilo, Hawaii 96721  
Telephone (808) 969-6684/Facsimile (808) 934-8898

February 1, 1999

Via Facsimile  
974-6575

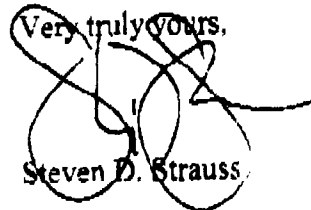
[Redacted]  
DHS

Re: In the Interest of Peter Kema, Jr.  
FC-S Nos. [Redacted] and 98-0034

Dear [Redacted]

I am enclosing an excerpted copy of a facsimile transmission received January 30, 1999 from Kit Barthel. I understand [Redacted] is on leave. Would you please determine the status of payment to Mr. Barthel and inform me of same at your earliest convenience?

Thank you for your attention to this matter.

Very truly yours,  
  
Steven D. Strauss

cc: A. Luna, Deputy A.G.  
Kit Barthel (w/out encl.)



FROM : For Cal

PHONE NO. : (808) 775-9147

Jan. 30 1999 11:19 AM P1

CHRISTOPHER E. BARTHEL, III, Ph.D.

Psychologist, Licensed Hawaii

P.O. Box 1811

Kamuela, Hawaii 96743

(808) 775-9147 • Hilo Telephone: (808) 961-2325

January 30, 1999

Steven D. Strauss, Attorney at Law  
P. O. Box 11517  
Hilo, Hawaii 96721

Re: Kema case

Dear Steve,

In looking back over my ledger for 1998, I notice that no reimbursement has been forthcoming for my report on the Kemas, dated September 7, 1998, despite Judge Gaddis's Order, dated September 22, 1998.

Can you check this out for me or advise me as to what steps I should take? Many thanks.

[REDACTED]

Sincerely,

*Lex*

Christopher E. Barthel, III, Ph. D.

THE DEPARTMENT OF THE ATTORNEY GENERAL  
FAMILY LAW DIVISION  
HILO OFFICE

MEMORANDUM

TO: [REDACTED] DHS/Hilo  
FROM: ALEY K. AUNA, JR. *AKA*  
Deputy Attorney General  
DATE: February 3, 1999  
RE: In the Interests of Peter Kema, Jr.;  
FC-S No. 98-34

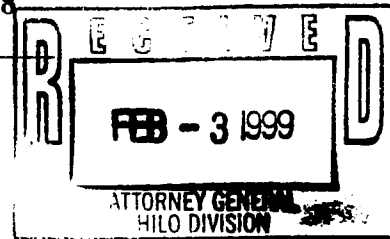
Enclosed are copies of Father's Ex Parte Motion and a letter to you. If it is not you that this matter regarding payment should be directed to, please let me know who is taking care of this and have that person call me. In any event, I would like to know where we are on this request.

Call me if you have any questions. Thank you.

Enclosures

COPY

Law Offices Of  
STEVEN D. STRAUSS  
P.O. Box 11517, Hilo, Hawaii 96721  
Telephone (808) 969-6684/Facsimile (808) 934-8898



February 1, 1999

Via Facsimile  
974-6575

[REDACTED]  
DHS

Re: In the Interest of Peter Kema, Jr.  
FC-S Nos. [REDACTED] and 98-0034

Dear [REDACTED]

I am enclosing an excerpted copy of a facsimile transmission received January 30, 1999 from Kit Barthel. I understand [REDACTED] is on leave. Would you please determine the status of payment to Mr. Barthel and inform me of same at your earliest convenience?

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to be "S.D. Strauss", written over the typed name.

Steven D. Strauss

cc: \ A. Auna, Deputy A.G.  
Kit Barthel (w/out encl.)

CHRISTOPHER E. BARTHEL, III, Ph.D.

Psychologist, Licensed Hawaii

P.O. Box 1811

Kamuela, Hawaii 96743

(808) 775-9147 • Hilo Telephone: (808) 961-2525

January 30, 1999

Steven D. Strauss, Attorney at Law  
P. O. Box 11517  
Hilo, Hawaii 96721

Re: Kema case

Dear Steve,

In looking back over my ledger for 1998, I notice that no reimbursement has been forthcoming for my report on the Kemas, dated September 7, 1998, despite Judge Gaddis's Order, dated September 22, 1998.

Can you check this out for me or advise me as to what steps I should take? Many thanks.

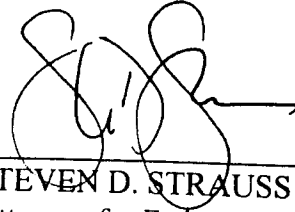
[REDACTED]

Sincerely,

Christopher E. Barthel, III, Ph. D.



Dated: Hilo, Hawai'i, February 2, 1999.



STEVEN D. STRAUSS  
Attorney for Father  
Peter Kema, Sr.

MEMORANDUM IN SUPPORT OF MOTION

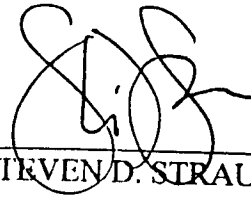
I. Argument and Authorities

The relevant facts are stated in the accompanying Declaration of Counsel. In summary, Respondent Peter Kema, Sr. seeks issuance of a subpoena to obtain telephone records pertinent to the investigation of Peter Kema, Jr.'s disappearance.

II. Conclusion

Based on the above argument and authorities, Defendant respectfully submits that the requested order issuing a subpoena duces tecum to GTE Hawaiian Tel should be granted.

Dated: Hilo, Hawai'i, February 2, 1999.



STEVEN D. STRAUSS  
Attorney for Father  
Peter Kema, Sr.

STEVEN D. STRAUSS      5242  
Attorney at Law  
Post Office Box 11517  
Hilo, Hawai'i 96721  
Telephone: (808) 969-6684

Counsel for Father  
Peter Kema, Sr.

IN THE FAMILY COURT OF THE THIRD CIRCUIT

STATE OF HAWAI'I

In the Interest of

PETER KEMA, JR.  
Born on May 1, 1991

[REDACTED]

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

FC-S Nos. 98-34

DECLARATION OF COUNSEL

Honorable Ben H. Gaddis

DECLARATION OF COUNSEL

I, Steven D. Strauss, declare:

1. I am counsel for Father Peter Kema, Sr. in the above referenced matter. In such capacity, I have first hand knowledge of the following facts and could and would testify thereto if called upon to do so.

2. During the course of the hearing on the issue of permanency, Respondent Peter Kema, Sr. was provided with excerpts of police reports containing statements from [REDACTED] [REDACTED] describing telephone calls received from Peter Kema, Jr. after Peter Kema, Jr. no longer lived with the Kema family.


3. Respondent's counsel is informed and believes that GTE Hawaiian Tel maintains records which show the originating telephone numbers for calls received at a particular telephone location and that such records may not be obtained absent a court-ordered subpoena. Furthermore, Respondent's counsel is unaware of any police or prosecuting authority's investigation into the origin of telephone calls received at the Kema household.

4. Respondent considers that the unresolved issue of "Where is Peter Boy?" is central to the court's decision to award permanent custody and the sufficiency of the service plan imposed on Petitioner. Telephone record evidence that the Kema household received telephone calls from a location or locations consistent with Respondent's statements of the Oahu location of Peter Kema, Jr. will tend to corroborate the statements of the [REDACTED]. Moreover, such evidence will undermine the validity of the Department of Human Services' rejection of Respondent's explanation for the "disappearance" of Peter Kema, Jr.

5. The evidence sought by the requested subpoena is material to Respondent's potential motion for reconsideration. The potential evidence is newly discovered in that it derives from discovery not available to Respondent's counsel prior to trial.

I declare under penalty of perjury that the foregoing is true.

Dated: Hilo, Hawai'i, February 2, 1999.

  
STEVEN D. STRAUSS



CERTIFICATE OF SERVICE

I hereby certify that on February 2, 1999, I served a copy of the foregoing document via

U.S. Mail addressed to:


ALEY K. AUNA, Esq.  
Deputy Attorney General  
Department of the Attorney General  
101 Aupuni Street, Suite PH1014A  
Hilo, Hawai'i 96720

HOWARD H. SHIROMA, Esq.  
Crudele De Lima & Shiroma  
10 Shipman Street  
Hilo, Hawai'i 96720

LLOYD VAN DER CAR, ESQ.  
101 Aupuni Street, Suite 238  
Hilo, Hawai'i 96720

EDITH KAWAI, Esq.  
Attorney at Law  
P.O. Box 160  
Kamuela, Hawai'i 96743

Dated: Hilo, Hawai'i, February 2, 1999

  
\_\_\_\_\_  
STEVEN D. STRAUSS

**STATE OF HAWAII**  
**REQUISITION & PURCHASE ORDER**

DEPARTMENT OF HUMAN SERVICES  
**SOCIAL SERVICES-CHILD WELFARE SERVICES**  
 XXXXXXXXXXXXXXXXXXXX

ORGANIZATION

FUNCTION AND ACTIVITY

**NOTICE TO VENDORS**

Conditions of purchase are listed on the back side of this purchase order. Please read carefully.  
 Payments may be delayed if all steps are not followed.

Barthel, Christopher R., III  
 P.O. Box 1811  
 Honolulu, HI 96743-1811

The State of Hawaii is an EQUAL EMPLOYMENT OPPORTUNITY and AFFIRMATIVE ACTION employer. We encourage the participation of women and minorities in all phases of employment.

PURCH ORDER NO. **1927884**

Date **May 03, 1999**  
 Deliver Before

**DELIVERY ADDRESS**

**EHCWS I (70)**  
**75 AUPUNI ST., RM. 112**  
**HILO, HAWAII 96720**  
**BILLING ADDRESS**

**EHCWS I (70)**  
**75 AUPUNI ST., RM. 112**  
**HILO, HAWAII 96720**

QUAN.	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
4.5	Each	CA/M RISK ASSESSMENT-PSYCHOLOGICAL	150.00	703.12

VOUCHER NUMBER

AUTHENTICATED BY: \_\_\_\_\_  
 AUTHORIZED SIGNATURE: **-RHCWSSA**

GOODS SERVICES RECEIVED IN GOOD ORDER AND CONDITION BY \_\_\_\_\_ DATE \_\_\_\_\_

REQUISITION NO. \_\_\_\_\_

VENDOR NUMBER: XXXXXXXXXXXX SFX: XX

0000101619 00

FOR DEPARTMENT USE ONLY

SFX	TC	F	YR	APP	D	OBJECT	CC	PROJ NO.	PH	ACT	ESTIMATED COST	ACTUAL COST	M	R	OPT DEPT DATA	
XX	XXX	X	XX	XXX	XX	XXXX	XXXX	XXXXXXXXXX	XX	XXX	XXXXXXXXXXXXXX	XX	XXXXXXXXXXXXXX	XX	XX	XXXXXXXXXXXXXX
01	621	1	99	101	K	6680				180		703.12			10780	

TERRY ANN T. FUJIOKA, PH.D.  
Licensed Psychologist

Office: Mango Court, Bldg. 2, #110  
Kainaliu, Kona

Mail: P.O. Box 478  
Holualoa, Hawaii 96725

Telephone: (808) 324-0434; Fax: (808) 324-0129

10 January 1999

[REDACTED]  
Social Worker  
Child Welfare Services  
Department of Human Services  
75 Aupuni Street, Room 112  
Hilo, Hawaii 96720

Re: [REDACTED]

Dear [REDACTED]

As you requested, I am writing you with a brief summary of my play therapy sessions with [REDACTED]. I began seeing [REDACTED] on December 2<sup>nd</sup> of last year, and to date, I have had three sessions with [REDACTED]. From the beginning, [REDACTED] has been quite talkative, friendly, and active in the sessions. I have not observed any significant delays in [REDACTED] overall development, nor have I discerned any indications of any significant emotional or behavioral disorders. My clinical impression thus far is similar to the results of Dr. Choy's psychological evaluation of June of last year.

[REDACTED] has talked spontaneously about her family situation. She has spoken of "whackings" that her father gave to [REDACTED] as well as to her mother. She has also talked of her brother, Peter-boy, whom she misses and worries about a great deal.

[REDACTED] has stated that she saw her father put Peter-boy in the trashcan and that her father made Peter-boy eat "doo-doo." During the last session of December 16 [REDACTED] talked about [REDACTED] father "whacking" [REDACTED] in [REDACTED] "privates;" [REDACTED] also stated that [REDACTED] father bites [REDACTED] "privates" and [REDACTED] "okole." In addition, [REDACTED] stated that [REDACTED] father likes to take [REDACTED] clothes off. [REDACTED] affect during this session was alternately anxious and serious.

[REDACTED]  
[REDACTED] My understanding is that the West Hawaii CWS crisis unit has initiated an investigation.

I will continue to see [REDACTED] play therapy. I also will continue to meet regularly with [REDACTED] to gather ongoing information about [REDACTED] functioning as well as to provide whatever consultation may be needed or requested.

Sincerely,



Terry Ann Fujoka, Ph.D.  
Licensed Psychologist

BENJAMIN J. CAYETANO  
GOVERNOR



MARGERY S. BRONSTER  
ATTORNEY GENERAL

**STATE OF HAWAII**  
**DEPARTMENT OF THE ATTORNEY GENERAL**  
**FAMILY LAW DIVISION - HILO OFFICE**  
101 AUPUNI STREET, SUITE PH1014-A  
HILO, HAWAII 96720-4246  
TELEPHONE: (808) 933-8883 • FAX: (808) 933-8887

JOHN W. ANDERSON  
FIRST DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: LLOYD VAN DE CAR, ESQ.  
CRAIG SADAMOTO, ESQ.  
EDITH KAWAI, ESQ.  
STEVEN STRAUSS

FROM: ALEY K. AUNA, JR.  
Deputy Attorney General

DATE: January 11, 1999

RE: In the Interests of the Kema Children;  
FC-S No. 98-34

Pursuant to the Court's request, I am forwarding a copy of three video tapes of interviews of [REDACTED] conducted on April 22, 24, and 30, 1998. You may review these copies at Court or the originals at the DHS offices by appointment.

Should you have any questions, please feel free to call me.

Cc: Honorable Ben H. Gaddis w/ video tapes  
[REDACTED] DHS/Hilo

**PSI COMMUNICATION TO ACTIVE UNIT**

**RUSH**

DATE: 1.11.99  
 TO: West Honolulu AWAII FR: PSI/ [REDACTED]  
 (Intake SW)  
 CASE NAME: Kema, Clayton CASE # 10780  
 MINORS: [REDACTED]

**[ ] ENTRY IN LOG OF CONTACTS**

Date of Log Entry: 1.11.99  
 Brief Description: see attached

**[ ] NEW REPORT ON ACTIVE CASE**

- Assign to Crisis Unit \_\_\_\_\_ for Investigation.
- Return to Active Case Management Unit \_\_\_\_\_ for Investigation/Follow Up.

**[ ] INSTITUTIONAL HARM REPORT**

Date of Report: \_\_\_\_\_ Institution: \_\_\_\_\_  
 Regarding Case Name: \_\_\_\_\_

**[ ] FAMILY MEMBER SUBJECT OF NEW REPORT**

Family Member/Client # \_\_\_\_\_ Case # \_\_\_\_\_

**[ ] DOCUMENTS ATTACHED**

**[ ] REMARKS**

- Medicaid Coupon issued under Active Hawi Case and
  - presented to provider at time of service or
  - Mailed to provider on \_\_\_\_\_ (date).
- Medicaid coupon issued for non-AFDC child and
  - presented to provider at time of service or
  - mailed to provider on \_\_\_\_\_ (date).
- Application for Medicaid has been completed and
  - mailed to West Honolulu Applications Unit on \_\_\_\_\_ (date).

0002 RECORD SUCCESSFULLY ADDED

01/11/99

LOG OF CONTACTS (NARRATIVE) - ADD

KFHCA52N

08:42:19.8

CASE PROCESS

CASE NAME KEMA, JAYLIN

CASE NO 00010780

DATE 01/11/1999

TIME 08:42

LOG SIZE 1

-----  
 TYPE OF CONTACT \_\_\_\_\_ WORKER [REDACTED] NOTATION COURTESY INTERVIEW \_\_\_\_\_ PAGE 1  
 NARRATIVE ACCOUNT

CWSIU RECEIVED FAXXED REQUEST REGARDING INTERVIEW OF THE [REDACTED]  
 [REDACTED], REGARDING ALLEGATIONS OF ALLEGED SEXUAL ABUSE. THE INTAKE  
 WAS ASSIGNED TO UNIT 43, CWS ASSESSMENT UNIT 3, FOR COURTESY SERVICES AT THIS  
 TIME.

[REDACTED] CWSIU - 1/11/99

NEXT CASE KEY \_\_\_\_\_

END DATA

BENJAMIN J. CAYETANO  
GOVERNOR



MARGERIE S. BRONSTER  
ATTORNEY GENERAL

STATE OF HAWAII  
DEPARTMENT OF THE ATTORNEY GENERAL  
FAMILY LAW DIVISION - HILO OFFICE  
101 AUPUNI STREET, SUITE PH1014-A  
HILO, HAWAII 96720-4246  
TELEPHONE: (808) 933-8883 • FAX: (808) 933-8887

JOHN W. ANDERSON  
FIRST DEPUTY ATTORNEY GENERAL

MEMORANDUM

TO: CRAIG SADAMOTO, ESQ.

FROM: ALEY K. AUNA, JR. *AKA*  
Deputy Attorney General

DATE: December 30, 1998

RE: In the Interests of the Kema [REDACTED]  
FC-S No. 98-34

I just received a copy of your Subpoena Duces Tecum, filed December 17, 1998, to DHS. DHS received the Subpoena Duces Tecum at 2:15 p.m. today. Unfortunately, DHS cannot comply with your request because it requires DHS to produce its entire record (I'm assuming you are requesting a copy) to you.

As set forth at the last pretrial conference, which I reduced to a proposed order, you and other counsel were to follow these procedures:

1. Review the records at DHS' office.
2. Paper clip the page(s) you want copied.
3. I am to review the requested page(s).
4. If there is no objection, you will receive a copy of the requested page(s). If there is an objection, I am to forward the requested page(s) with DHS objections to the judge for an in camera review. He will then issue an order.

[REDACTED] informs me that she has left several messages on your answering machine advising you that the records are available for your review.

Should you have any questions, please feel free to call me.

✓ Cc: [REDACTED], DHS/Hilo



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
**FAMILY AND ADULT SERVICES DIVISION**  
FACSIMILE COVER SHEET

Today's Date: 12/28/98 Total No. of Pages including Cover Sheet: 1

**To:** CHRISTOPHER BARTHEL - PH.D.  
**Address:** \_\_\_\_\_  
**Phone No.:** 775-9147 **Fax No.:** 775-9147

**From:** \_\_\_\_\_ DHS - [REDACTED] Social Worker

**Address:** 75 Aupuni St. Rm.#112 Hilo, HI 96720

**Phone No.:** [REDACTED] **Fax No.:** [REDACTED]

**Subject:** KEMA PERMANENT PLAN HEARING - 1/19/99

THIS WILL CONFIRM THE MESSAGE LEFT ON YOUR ANSWERING MACHINE AS OF THIS DATE. THE DHS HAS AGREED TO PAY FOR A REPORT AND/OR TESTIMONY ON BEHALF OF JAYLIN AND PETER KEMA SR. WITH A MAXIMUM OF FOUR HOURS AT \$85.00 PER HOUR PLUS TAX.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME.

MAHALO!!

**WARNING:** This message is intended only for the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone, and return the original to us at the above address via the U. S. postal service. Thank you.



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES

# SOCIAL SERVICES DIVISION FACSIMILE COVER SHEET

Today's  
Date:

12/21/98

Total No. of Pages  
including fax memo:

7

To:

E. HI CWS Unit I, Unit #70

Address:

Phone Number: 974-6565 Fax Number: 974-6575

From:

[Redacted]

Address:

75-5995 KUAKINI HWY., SUITE 523 KAILUA-KONA, HI 96740

Phone Number:

[Redacted]

Fax Number:

[Redacted]

SUBJECT:

Kema, Jaylin

Faxing: intake

DHS - 1507

DHS - 1517

DHS - 1518

Copies of above were also faxed to

[Redacted]

[Redacted]

**WARNING:**

This message is intended only for the use of the individual to which it is addressed and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error please notify us immediately by telephone & return the original to us at the above address VIA the U.S. Postal Service.

12/18/98  
17:18:49.0

STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES  
SOCIAL SERVICES DIVISION

KFHCR10R

CPS INTAKE DOCUMENT

INTAKE NO 62404

TAKEN BY \_\_\_\_\_  
COMPLETE BY \_\_\_\_\_  
ASSIGNED BY \_\_\_\_\_  
ASSIGN TO \_\_\_\_\_

DATE/TIME \_\_\_\_\_  
DATE/TIME \_\_\_\_\_  
DATE \_\_\_\_\_

CASE NAME KEMA, JAYLIN  
CASE NO 00010780 STATUS G  
UNIT NO 70 WORKER NO [REDACTED]

INITIAL REFERRAL BY [REDACTED]  
PHONE [REDACTED]

COMPLAINANT NO 01

CHILDREN:

FMN	NO	NAME	DOB	SCH/EMP	U/P/B
FMN 20		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
FMN 21		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
FMN 22		KEMA JR., PETER	05/01/91	SCH/EMP	U/P/B
FMN 23		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
FMN 24		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

ADULTS:

FMN	NO	NAME	DOB	CITY	ST	ZIP	PH	ALLEGED PERP
FMN 01		KEMA SR., PETER	08/17/70	HILO	HI	96720 0	934-9545	Y
FMN 02		KEMA, JAYLIN M	04/10/70	HILO	HI	0 0	000-0000	N
FMN 03		[REDACTED]	[REDACTED]	[REDACTED]	HI	[REDACTED]	[REDACTED]	[REDACTED]
FMN 50		[REDACTED]	[REDACTED]	[REDACTED]	HI	[REDACTED]	[REDACTED]	N

PROBLEMS FOR WHICH REFERRED:

FMN 23 SEXA SEX ABUSE

LOC OF INC IN FATHER'S CARE  
ACTION BOOKING NO  
HOSPITAL

DATE 00/00/00 TIME 00:00  
DATE 00/00/00 TIME 00:00

COMPLAINANTS ACCOUNT(S):

COMP NO 01 COMPLAINT DATE/TIME 12/17/98 09:35  
NAME [REDACTED]  
ADDRESS [REDACTED]

PHONE [REDACTED]

12/18/98  
17:18:49.5

STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES  
SOCIAL SERVICES DIVISION

KFHCR10R

CITY/ST/ZIP

SHARE ID N PRT REQ Y NOTIFY Y REL TO CHILD PRO SERVICE PROVID

NARRATIVE ACCOUNT:

REPORT: ALLEGED INTRAFAMILIAL SEXUAL ABUSE OF [REDACTED] AGE [REDACTED], BY FATHER, PETER KEMA, SR.

HARM: LAST NIGHT, [REDACTED] DISCLOSED THAT [REDACTED] FATHER "WHACKS [REDACTED] ON [REDACTED] PRIVATES, [REDACTED] BITES DADDY'S PRIVATES, DADDY BITES [REDACTED] PRIVATES, DADDY LIKES TO TAKE [REDACTED] CLOTHES OFF, [REDACTED] SAW DADDY KISSING MOMMY'S PRIVATES."

PRESENTING SITUATION: FAMILY IS ACTIVE WITH CPS IN HILO.

.THEIR CPS SOCIAL WORKER IS [REDACTED]  
.LAST NIGHT, IN THERAPY, [REDACTED] DISCLOSED THE ABOVE.  
.NO TIME FRAME WAS MENTIONED/DETERMINED.

[REDACTED] LIVES WITH [REDACTED] IN KONA.

CPS HISTORY/INVOLVEMENT: FAMILY'S ACTIVE CASE WITH HILO UNIT, #70, SHOWS SEVERAL PRIOR INTAKES.

.OF SIGNIFICANCE IS THE MOST RECENT INTAKE, DATED 4/23/98, REGARDING ALLEGED SEXUAL ABUSE OF [REDACTED] AGE [REDACTED]. BY AN UNKNOWN PERPETRATOR. ALLEGATIONS WERE NOT CONFIRMED.

ASSESSMENT: PROTECTIVE SERVICES ARE INDICATED, BASED UPON:

.AGE AND VULNERABILITY OF CHILD  
.ALLEGED SEXUAL ABUSE BY FATHER  
.FAMILY IS NOW ACTIVE WITH HILO CPS  
.ALLEGED PERPETRATOR DOES NOT HAVE CURRENT ACCESS

DISPOSITION: INTAKE ACCEPTED FOR INVESTIGATION

INTAKE TAKEN AND ENTERED BY INTAKE WORKER, [REDACTED]

ASSIGNED INVESTIGATOR: [REDACTED] WEST HAWAII INTAKE/ASSESSMENT UNIT 25

A COPY OF THIS INTAKE IS BEING FAXED TO [REDACTED] EAST HAWAII CHILD WELFARE SVCS UNIT 70.

<b>SAFETY ASSESSMENT</b>	
CASE NAME: <i>Kerna, Jaylin</i>	CHILD'S NAME: [REDACTED]
WORKER NAME/UNIT: [REDACTED] <i>West Hill State Assessment</i>	ASSESSMENT DATE: <b>17 DEC 1998</b>
<b>I. FAMILY STRENGTHS (Check all that apply)</b> Document all family strengths and resources that would ensure the safety of the child in the home.	
<input type="checkbox"/>	1. The child or a sibling has suffered a low or moderate level of harm or risk, as determined by the assessment matrices
<input type="checkbox"/>	2. The child is able to protect him/herself, or is willing to report harm.
<input checked="" type="checkbox"/>	3. The maltreater has been identified
<input type="checkbox"/>	4. The maltreater has appropriate access to the child
<input checked="" type="checkbox"/>	5. There is a protective adult available to, and accepted by the family [REDACTED]
<input type="checkbox"/>	6. There are no previous substantiated reports of abuse or neglect.
<input type="checkbox"/>	7. There is no report or evidence of domestic violence in the home
<input type="checkbox"/>	8. The caregiver's method of child management does not place the child at risk.
<input type="checkbox"/>	9. The caregiver's have no physical, psychological, or behavioral problems which place the child at risk
<input type="checkbox"/>	10. Caregiver substance abuse has not placed the child at risk.
<input type="checkbox"/>	11. The family has access to sufficient resources and uses them to meet their basic needs.
<input type="checkbox"/>	12. The family has a practical safety plan, which would ensure the safety of the child.
<input type="checkbox"/>	13. There is a social support system available to the family who is aware of the risk to the child, and is willing to assist the family, or intervene if necessary.
Other information or changes:	
<b>II. SAFETY RESPONSES THE FAMILY WILL MAKE TO MAINTAIN THE CHILD SAFELY IN THE HOME</b>	
<input type="checkbox"/>	The caregivers are willing and able to make changes that would ensure the safety of the child in the home.
<input type="checkbox"/>	The family will accept treatment and services to resolve the safety issues in the home.
<input checked="" type="checkbox"/>	Extended family members can and will ensure the safety of the child. [REDACTED]
<input type="checkbox"/>	The family will agree to court jurisdiction and an immediate safety plan
<input type="checkbox"/>	The Non-perpetrating caregiver and child will leave the home to a safe environment
<input type="checkbox"/>	The maltreater will leave the home
Other:	
<b>III. CAUSE OR SOURCE OF SAFETY CONCERN - CAREGIVER OR CHILD</b> (Document all significant safety concerns which have resulted in harm, or pose a risk to the child)	
<input checked="" type="checkbox"/>	1. The child or a sibling has suffered a high or severe level of harm or risk, as determined by the assessment matrices
<input checked="" type="checkbox"/>	2. The child is unable to care for or protect him/herself or unwilling to report harm.
<input type="checkbox"/>	3. The maltreater has not been identified.
<input type="checkbox"/>	4. The maltreater has access to the child which places the child at risk.
<input type="checkbox"/>	5. There are no protective adults available to the child and family who are willing and able to intervene.
<input checked="" type="checkbox"/>	6. There have been previous substantiated reports of abuse or neglect.

# REPORT ON ACTIVE CASE

(Case Management Case)

CASE NAME: Kema, Jaylin Date: 21 DEC 1998  
TO: [Redacted] FROM: [Redacted] (Active Unit) EHCWSUI, #70  
(Assessment Unit Supervisor) (Intake Supervisor) (Name of ongoing unit)

ASSESSMENT UNIT: [Redacted] unit 25  
INTAKE assigned to [Redacted] on 12/17/98  
(Assessment worker) (date)

DISPOSITION: (Circle) CONFIRMED UNCONFIRMED UNSUBSTANTIATED  
Completed CPSS screens: 36 , 39 , 60 , 62 , 64  (check off)  
CPSS 62 screen is attached, gives summary of investigation, areas of concern and recommended follow up by the ongoing social worker.  
Intake, CPSS 62 screen, Risk matrix, and supporting documents sent to ongoing unit supervisor  
[Redacted] 12/21/98  
(Assessment Unit Supervisor) (date)

### CASE MANAGEMENT/ONGOING UNIT:

Received original intake, Risk Matrix, supporting documents and CPSS 62 screen on \_\_\_\_\_ (date)  
Reviewed and routed to assigned ongoing worker on \_\_\_\_\_ (date)

Choose one:  
\_\_\_\_\_ Agree with the disposition and will proceed with recommendations.  
\_\_\_\_\_ Do not agree with the disposition. Will contact the assessment unit supervisor and follow procedures regarding resolution. Reasons for the disagreement are:

Agreement was reached on \_\_\_\_\_ (date). If agreement differed from original assessment, that information has been added to the CPSS 62 screen.  
\_\_\_\_\_  
(Ongoing Unit Supervisor) (date)

FILE IN PART II OF THE CASE RECORD, WITH OTHER INTAKES

*in Intake for Act Case*

**CHILD RISK ASSESSMENT SUMMARY**

**ATTACHMENT**

CASE NAME: Kame, Jaylin CHILD'S NAME: [REDACTED]

CASE NUMBER (CPSS): 10780 INTAKE #: 62404

WORKER NAME	UNIT	DATE
[REDACTED]	W. Hawaii Intakes Assessment - 825	7 DEC 1998

INDICATE LEVEL FOR EACH FACTOR IN THE APPROPRIATE COLUMN BASED ON DATA COLLECTED ON THE MATRICES: (I-INTAKE, A-ASSESSMENT, ETC.). (COMPLETE FOR EACH CHILD AT RISK IN THE HOME)

**FACTORS FOR CHILD:**

HARM	LEVEL	VULNERABILITY	LEVEL
REPORT AND DESCRIPTION OF ABUSE - PA, PN, PSYA SA	H	AGE OF CHILD	H
LOCATION OF INJURY - PA	n/a	VULNERABILITY	M
FREQUENCY AND DURATION	H/S	CHILD'S MENTAL FUNCTIONING	?
MEDICAL TREATMENT REQUIRED	L	PHYSICAL FUNCTIONING	?
EMOTIONAL INDICATORS	L		
PHYSICAL INDICATORS	L		
OVERALL HARM LEVEL	H/S	OVERALL VULNERABILITY LEVEL	H

NOTE: LEVEL = L, M, H, S

**FACTORS FOR CARETAKERS:**

PROTECTIVENESS/ CAPACITY	LEVEL	HISTORY/FUNCTIONING	LEVEL
PRESENCE OF PROTECTIVE ADULT IN THE HOME	L	INVOLVEMENT IN SERVICES	?
AGE	L	WILLINGNESS TO PARTICIPATE IN SERVICES	?
EXPLANATION OF HARM	?	HISTORY OF ABUSE VICTIM, CARETAKER, SIBLINGS	S
CHILD MANAGEMENT/DISCIPLINE	?	FAMILY FUNCTIONING	S
ABILITY TO PROBLEM SOLVE	?	SUBSTANCE ABUSE	?
MENTAL CAPACITY	?	DOMESTIC VIOLENCE	?
FAMILY SUPPORT SYSTEM	?	FREQUENCY AND DURATION OF DOMESTIC VIOLENCE	?
ABILITY TO PROVIDE SHELTER	?		
ACCESS TO VICTIM	?		
OVERALL PROTECTIVENESS LEVEL	M/H	OVERALL HISTORY LEVEL	S

NOTE: LEVEL = L, M, H, S

**WORKER ASSESSMENT OF FACTORS:**  
(WORKER'S DETERMINATION OF OVERALL LEVEL FOR EACH OF THE FOUR FACTOR GROUPINGS FOR CHILD AND CARETAKERS.)

	HARM	VULNERABILITY
CHILD	H/S	H
CARETAKERS	M/H	S
	PROTECTIVENESS/CAPACITY	HISTORY/FUNCTIONING

WORKER ASSESSMENT OF OVERALL CASE LEVEL: H/S  
(LOW, MODERATE, HIGH, SEVERE)

u = unknown  
n/a = not applicable

low/moderate risk → divert, Title IX-B  
high - DHS supervision  
severe - placement?

- 7. There are substantiated reports of domestic violence in the home.
- 8. The caregiver's method of child management has harmed or places the child at risk.
- 9. The caregivers have physical, psychological, or behavioral problems which have harmed or place the child at risk. (Identify problems by circling)
- 10. There is substance abuse by a caregiver or person who has access to the child which endangers the child.
- 11. The family does not have sufficient resources to meet their basic needs.
- 12. The family has been unable to develop and implement a safety plan to ensure the safety of the child.
- 13. There is no social support system available to the family willing and able to assist.

Other information or changes:

**IV. DETERMINATION OF SAFETY/DEPARTMENTAL RESPONSE**

- 1. The child is not assessed to be at substantial risk, the intake will not be accepted for investigation.
- 2. The child is safe in the home; no further departmental response is required.
- 3. The child is safe in the home without departmental intervention the family will be diverted to community resources.
- 4. The child may be maintained in the home with services.
- 5. The home is unsafe; the child must be removed. *Child has been removed*

**V. PERMANENCY PLANNING: (IF ANY OF THE FOLLOWING APPLY TO THE FAMILY, INITIATE CONCURRENT PERMANENCY PLANS)**

- 1. The safety issues in the home have been determined within the first 90 days of services to be chronic, severe and unlikely to be resolved despite services.
- 2. The family has had other children permanently removed.
- 3. The caregiver or caregivers have unresolved long term psychological or substance abuse problems, which are not being treated despite agreements reached between the family and the agency in the first six months of the service plan.
- 4. The caregivers have a history or repeated confirmed child abuse or neglect acts or reports.
- 5. The child has suffered repeated or serious harm.
- 6. The caregivers have participated in services unsuccessfully in the past or have refused services offered as a result of abuse or neglect in the home.

**VIII EARLY TERMINATION OF PARENTAL RIGHTS (CONSIDER EARLY TERMINATION OF PARENTAL RIGHTS IN THE FOLLOWING CIRCUMSTANCES)**

- 1. The caregivers have failed to make necessary improvements despite reasonable and appropriate services and efforts by CWS and others.
- 2. There is a pattern of long standing caregiver neglect, abandonment of the child or the caregivers are unwilling to care for the child.
- 3. There is a pattern of severe abuse of the child or sibling, including but not limited to: torture, voluntary manslaughter, or other aggravated circumstances.
- 4. There is a long-term caregiver incapacity to care for the child based on mental, emotional illness, mental retardation or physical incapacity.
- 5. There is a caregiver drug or alcohol incapacity with past history of repeated unsuccessful attempts at treatment.
- 6. There was a child fatality or the abuse or neglect was so extreme that efforts to reunify presents an unacceptable risk to the child.
- 7. The child exhibits a pathological fear of the caregiver due to past abuse or neglect which is unlikely to be resolved successfully.
- 8. The caregiver has been sentenced to prolonged imprisonment and will not be available to the child for an extended portion of the child's minority.