
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the constitutions of
2 the United States and the State of Hawaii guarantee equal
3 protection of law to all citizens. Police must not discriminate
4 in providing the protection afforded by criminal laws based on
5 whether a person lives in a private residence or in public
6 housing. Public housing must not be a safe haven for criminals
7 where lawlessness is tolerated. The legislature finds that, in
8 some instances, the Honolulu Police Department has refused to
9 enter public housing property to arrest those who violate the
10 law. This has contributed to the proliferation of lawless
11 behavior, including alcohol and drug abuse and abusive and
12 violent behavior, by some residents and guests in public
13 housing.

14 The purpose of this Act is to confer on the police the same
15 power to enforce law on public housing property as on private
16 property and thereby to extend the protection of criminal laws
17 to all of Hawaii's citizens, regardless of whether they live in
18 private or public housing.



1 SECTION 2. Section 52D-3, Hawaii Revised Statutes, is
2 amended to read as follows:






3 "[+]§52D-3[+] Powers and duties of chief of police. (a)


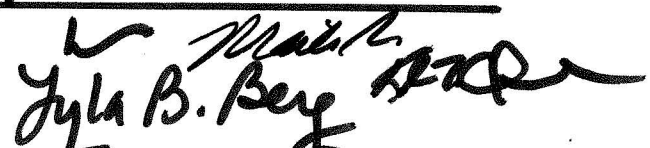
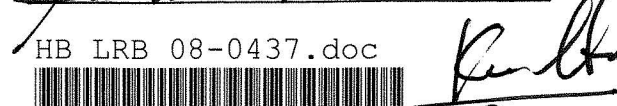

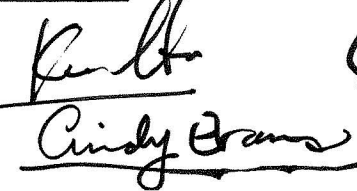


4 The chief of police shall have the powers and duties as
5 prescribed by law, the respective county charter, and as
6 provided by this chapter.

7 (b) The chief of police shall have the power to enter
8 without warrant the common areas of any public housing project,
9 as defined in section 356D-1 or 356D-91, for the purpose of
10 enforcing applicable state and county laws thereon. For
11 purposes of this subsection, "common area" means real property
12 within a public housing project, including community facilities
13 as defined in section 356D-1, and excludes dwelling units as
14 defined in section 356D-1."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

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 INTRODUCED BY: 









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Report Title:

Public Housing; Police Powers

Description:

Confers specific power on chiefs of police to enter and enforce laws in common areas of public housing.

