
SENATE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF A CLEAN AND SOBER HOME AND
HALFWAY HOUSE TASK FORCE.

1 WHEREAS, clean and sober homes and halfway houses provide a
2 means for persons to return to the community through support in
3 a home-like environment without the rigid structure of a
4 therapeutic care facility or therapeutic living program; and
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6 WHEREAS, many persons being released from incarceration
7 need the support of a home environment while trying to deal with
8 the stressors of reintegrating back into society while
9 maintaining sobriety; and
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11 WHEREAS, community residents have expressed concerns over
12 the legal operation of such homes in their immediate vicinity
13 and the compliance of such homes with all state and county laws;
14 and
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16 WHEREAS, the needs and concerns of the community must be
17 tempered with the needs of the individuals requiring support;
18 now, therefore,
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20 BE IT RESOLVED by the Senate of the Twenty-fifth
21 Legislature of the State of Hawaii, Regular Session of 2010, the
22 House of Representatives concurring, that the Department of
23 Health is requested to establish a clean and sober home and
24 halfway house task force to address the following issues:
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- 26 (1) Establishing a clear, legal definition of "clean and
27 sober home";
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29 (2) Establishing clear occupancy requirements for clean
30 and sober homes and halfway houses (facilities);
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32 (3) Developing a plan of accountability for these
33 facilities to ensure compliance with occupancy and



1 other requirements; in developing the plan the task
2 force shall review the need for or appropriateness of
3 regulation of these facilities, as well as the most
4 appropriate practices regarding regulation; and
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6 (4) Community and advocate education; and
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8 BE IT FURTHER RESOLVED that in considering the foregoing
9 issues that the task force balance community concerns with the
10 needs of individuals requiring clean and sober homes and halfway
11 houses; and
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13 BE IT FURTHER RESOLVED that the Department of Health is
14 requested to chair and convene the task force, which shall
15 include:
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- 17 (1) The directors of each of the county planning
18 departments or the directors' designees;
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- 20 (2) The Director of Health or the Director's designee;
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- 22 (3) The Chair of the Hawaii Paroling Authority or the
23 Chair's designee;
- 24
- 25 (4) Homeless advocates, as determined by the convener;
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- 27 (5) Representation from clean and sober homes and halfway
28 houses, as determined by the convener;
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- 30 (6) Legislative representatives, as determined by the
31 convener;
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- 33 (7) Legal representatives, as determined by the convener,
34 to address issues such as discrimination; and
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- 36 (8) Others, as appropriate, as determined by the convener;
37 and
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39 BE IT FURTHER RESOLVED that all relevant agencies,
40 including but not limited to the Hawaii Paroling Authority,
41 consult with the appropriate county agencies, as well as the
42 legal representatives of the task force on any issues of
43 discrimination, to ensure that clients are only referred to
44 clean and sober homes and halfway houses that meet the zoning



1 requirements and definitions under section 46-4, Hawaii Revised
2 Statutes, the Federal Fair Housing Act, Section 504 of the
3 Rehabilitation Act, Titles II and III of the the Americans with
4 Disabilities Act, and other laws providing housing opportunities
5 and protections for people with disabilities; and
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7 BE IT FURTHER RESOLVED that the task force report to the
8 Legislature on the scope and nature of the accountability plan
9 for clean and sober homes and halfway houses, the process by
10 which the houses will be monitored, the way in which concerns of
11 the community members are balanced with the concerns of those
12 requiring the support of the homes, and how the homes will be
13 regulated short of direct governmental oversight; and
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15 BE IT FURTHER RESOLVED that the task force submit to the
16 Legislature no later than twenty days prior to the convening of
17 the Regular Session of 2011, a report on the findings and
18 recommendations of the task force and any proposed legislation
19 that may be necessary to effectuate those recommendations; and
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21 BE IT FURTHER RESOLVED that certified copies of this
22 Concurrent Resolution be transmitted to the President of the
23 Senate, the Speaker of the House of Representatives, the
24 Director of Health, the Director of the City and County of
25 Honolulu Department of Planning and Permitting, the Director of
26 the County of Hawaii Planning Department, the Director of the
27 County of Maui Department of Planning, the Director of the
28 County of Kauai Planning Department, and the Chair and
29 Administrator of the Hawaii Paroling Authority.

