

# SCR95

Measure  
Title:

REQUESTING DEPARTMENTS AND OTHER AGENCIES OF THE STATE AND THE CITY AND COUNTY OF HONOLULU TO DESIGNATE GOVERNMENT PARKING LOTS FOR USE AT NIGHT BY THE HOMELESS WHO OWN VEHICLES AND SLEEP IN THEIR VEHICLES.

Report  
Title:

Homelessness; Parking Lot Use at Night

Description:

Companion:

Package:

None

Current  
Referral:

HMS/PGM/EDT/WAM

Introducer(s):

ESPERO, CHUN OAKLAND, WAKAI, Dela Cruz,  
Fukunaga, Ige, Ihara

NEIL ABERCROMBIE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Blvd. 4<sup>th</sup> Floor  
Honolulu, Hawaii 96813

JODIE F. MAESAKA-HIRATA  
DIRECTOR

MARTHA TORNEY  
Deputy Director of  
Administration

JOE W. BOOKER, JR.  
Deputy Director  
Corrections

KEITH KAMITA  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON SENATE CONCURRENT RESOLUTION 95 / SENATE RESOLUTION 52  
A BILL FOR AN ACT RELATING TO REQUESTING DEPARTMENTS AND OTHER  
AGENCIES OF THE STATE AND THE CITY AND COUNTY OF HONOLULU TO DESIGNATE  
GOVERNMENT PARKING LOTS FOR USE AT NIGHT BY THE HOMELESS WHO OWN  
VEHICLES AND SLEEP IN THEIR VEHICLES

by

Jodie F. Maesaka-Hirata, Director  
Department of Public Safety

Committee on Human Services  
Senator Suzanne Chun Oakland, Chair  
Senator Les Ihara Jr., Vice Chair

Committee on Public Safety, Government Operations and Military Affairs  
Senator Will Espero, Chair  
Senator Michelle Kidani, Vice Chair

Committee on Economic Development and Technology  
Senator Carol Fukunaga, Chair  
Senator Glenn Wakai, Vice Chair

Committee on Ways and Means  
Senator David Y. Ige, Chair  
Senator Michelle Kidani, Vice Chair

Wednesday, April 13, 2011, 11:15 AM  
State Capitol, Room 211

Chairs Chun Oakland, Espiro, Fukunaga, and Ige, Vice Chairs Ihara, Kidani, and Wakai and Members of the Committees:

The Department of Public Safety (PSD) has concerns with Senate  
Concurrent Resolution (SCR) 95 / Senate Resolution (SR) 52 that proposes to  
allow departments and other agencies of the State and the City and County of

SCR95 / SR52

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Honolulu to designate government parking lots to include the parking lots of the Department of Education parking structure at the corner of Vineyard Boulevard and Punchbowl Street, and at the Aloha Stadium to be use by homeless persons who own their own vehicles and sleep in the vehicles, between the hours of 10 p.m. to 6 a.m.. The Department's concerns relate to possible liability to the State and City if individuals are injured or assaulted while on State or City property. The Department believes that this issue should be thoroughly investigated prior to proceeding with this project. Another issue is that both resolutions call for the State and City to provide toilet facilities and security at these designated sites yet does not appropriate any manpower or funding to sustain this project.

Thank you for the opportunity to testify on this matter.

NEIL ABERCROMBIE  
GOVERNOR



RICHARD BURNS  
STATE LIBRARIAN

STATE OF HAWAII  
HAWAII STATE PUBLIC LIBRARY SYSTEM  
OFFICE OF THE STATE LIBRARIAN  
44 MERCHANT STREET  
HONOLULU, HAWAII 96813

**Senate Committees on Human Services,  
Public Safety, Government Operations, and Military Affairs,  
Economic Development and Technology, and  
Ways and Means**

**April 13, 2011, 11:15 a.m.**

**SCR 95/SR 52, Proposed SD1**

The Hawaii State Public Library System (HSPLS) strongly opposes SCR95/SR52, proposed SD1. While we are in total agreement that homelessness is a growing problem which the State is struggling to address, we cannot support designating our parking lots for use by the homeless during overnight hours. As was the case most recently at our McCully-Moiliili Public Library parking lot, over 30 families set up makeshift tents there and on the surrounding sidewalks. They blocked access to our after hours bookdrop, and our patrons and employees felt scared and threatened when they tried to pass. Our staff needed to constantly pick up their trash, litter, clothes, etc. not to mention cleaning of feces and urine odor. We are currently experiencing a similar problem at our Centralized Processing Center, located at 690 Pohukaina Street in Kakaako. After The Hawaii Community Development Authority (HCDA) moved them from the Kakaako waterfront area a few weeks ago, most of these homeless have relocated from those lots to our property. They have set up tents all along our access road and have either

blocked or prevented our delivery drivers from getting their vans into our property. We have spoken to these families, filed trespass notices, and the Sheriff's office has come out several times, all without success. They continue to reside there and present an immediate hazard and safety issue to themselves and our staff.

Given the difficulties we face with the homeless at many of our libraries, allowing them use of our parking lots after hours will only exacerbate these problems and challenges for our staff and patrons. There may be some legal and logistical problems with this resolution as well, which we will leave for the Attorney General's office and State Law Enforcement to consider. We fully support HCDA in their developing a community action team, utilizing the many resources available to the homeless, working with them to relocate, and with law enforcement to move them into safer areas.

Thank you for the opportunity to testify on this bill.

**NEIL ABERCROMBIE**  
GOVERNOR

**BRUCE A. COPPA**  
COMPTROLLER



**SCOTT L. CHAN**  
MANAGER

**LOIS M. MANIN**  
DEPUTY MANAGER

**ALOHA STADIUM**

*An Agency of the State of Hawaii*

TESTIMONY  
OF  
SCOTT L. CHAN, STADIUM MANAGER  
STADIUM AUTHORITY  
TO THE  
SENATE COMMITTEES  
ON  
HUMAN SERVICES; PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY  
AFFAIRS; ECONOMIC DEVELOPMENT AND TECHNOLOGY; AND WAYS AND MEANS  
ON  
April 13, 2011

SENATE CONCURRENT RESOLUTION 95, SD1

RELATING TO DESIGNATING GOVERNMENT PARKING LOTS FOR USE AT NIGHT BY  
THE HOMELESS WHO OWN VEHICLES

Chairs Chun, Espero, Fukunaga, Ige, and members of the respective Committees, thank you for the opportunity to testify on SCR 95, SD1.

While we are truly sensitive and sympathetic to the plight of the homeless and we are supportive of government's responsibility to address the basic life domains of the homeless, there are a number of concerns that the Stadium Authority has with SCR 95 that the Legislature needs to be cognizant of before considering the passage of SCR 95, SD1.

First and foremost are these equally important issues: Lack of adequate sanitary facilities, appropriate security of the site, safety of its patrons, overall liability, and funding shortfall.

Of considerable concern is the fact that the Stadium is not designed to address sanitary issues on a daily basis. Without appropriate resources, the welfare, health, and safety of this population may be placed in greater jeopardy.

Other issues that require careful consideration include:

- 1) As stated above, the Aloha Stadium does not have stand-alone public restrooms with running water that is available to the general public except through the use of porta-potties. This option is neither sanitary nor fiscally prudent and will create sanitary issues in a very short period of time. The cost of the porta-potties and utilities would be an unfunded expense to the Stadium's budget.
- 2) Since the Aloha Stadium operation is "event-funded", meaning the user or Licensee pays for costs associated with putting on an event, there is no revenue source to pay for costs incurred by the arrangement pursuant to SCR 95, SD1. This includes:
  - Rental and maintenance of porta-potties.
  - Connection and recurring cost of utilities (water, electricity, and other essential items).
  - Continuous daily clean-up of the proposed parking lot area.
  - Additional security to monitor and ensure compliance with no drugs, alcohol, weapons, loitering, excessive noise, cooking, tents, littering, pets, etc.
- 3) The Stadium does not have the security manpower or funding to maintain security and police the proposed area, as well as, to ensure that vehicles enter and vacate the grounds as required.
- 4) The potential for liability increases significantly with regard to potential injuries, accidents, disagreements, altercations, as well as, liability arising out of the existing agreements with its current licensees.
- 5) The proposal also creates major logistical issues with the Stadium's existing contracted vendors and licensees, such as the coordination of ingress and egress of both the patrons and the proposed homeless population. There is the potential for loss revenue if Licensees that are unable or unwilling to coordinate events around the proposed homeless arrangement.
- 6) Confusion over when the lot is available for use by the homeless and when it is required for a booked event would result in a potential for conflict with ongoing events that may result in confusion and complaints by Licensees.
- 7) Determining the appropriate Governmental agency that would be responsible for oversight of this proposed arrangement and the resources required to maintain oversight and ensure compliance.
- 8) The issues and concerns that would be raised by the neighborhood boards.

It should also be noted that the Aloha Stadium operates as a venue for events all year around. The Stadium continues to generate revenues by securing events that serve the recreational needs of the public while continuing to maintain fiscal prudence in its expenditures.

As an example, the primary ongoing event in the Stadium's parking lot is the three-day a week Swap Meet. This event generates significant revenue for the Stadium and is secured by a multi-year Swap Meet management contract that maintains oversight of the thousands of patrons, many of which are tourists and the many vendors that comprise the success of the Swap Meet.

The swap meet operation, as well as, many other events begin with vendor set-up well before dawn and continue through the evening with clean-up of the grounds. In addition to these major events, the Stadium is also continually booking events such as the 50th State Fair, commercial driver licensing (CDL) testing, car shows, driver education events, youth football, Hawaii professional football, national and international soccer, as well as, being the current home of the Sheraton Hawaii Bowl and the NFL Pro Bowl. Events are held regularly, and depending on the size of the event, may at times be run as a week-long promotion at the Stadium. Many licensees are return customers that host their event at the Stadium. During the fall season, utilization increases significantly with the University of Hawaii Football, high school (ILH and OIA) football games, youth flag football, soccer, and other sporting, special interest, and religious events utilizing the Stadium. All of these events require the use of the parking lot for extended periods of time.

Thank you for the opportunity to submit testimony on Senate Concurrent Resolution 95, SD1.



## ChunOakland2 - Tyrell

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, April 08, 2011 9:56 PM  
**To:** HMS Testimony  
**Cc:** zelei7ke@yahoo.com  
**Subject:** Testimony for SCR95 on 4/13/2011 11:15:00 AM

Testimony for HMS/PGM/EDT/WAM 4/13/2011 11:15:00 AM SCR95

Conference room: 211  
Testifier position: support  
Testifier will be present: No  
Submitted by: Zelei Abordo  
Organization: Individual  
Address:  
Phone:  
E-mail: [zelei7ke@yahoo.com](mailto:zelei7ke@yahoo.com)  
Submitted on: 4/8/2011

**Comments:**

This is such a good idea. There are many homeless that can't afford to pay rent and end up living out of their cars, vans, etc. Giving them a place to sleep without worrying about the police department or troublemakers helps more than you can know. On top of that you won't have them lining up sleeping in tourist spots. Some of the homeless do have jobs so at least there will be a place where they can groom themselves. I know a lot of people who could really benefit from a bill like this. Who knows, God forbid, I may be the next person forced to benefit from the passage of this bill.

Thank you for your consideration.



**PARTNERS IN CARE**  
**Oahu's Coalition of Homeless Providers**

<http://www.partnersincarehawaii.org/>

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**COMMENTS ON SCR 95: RELATING TO HOMELESSNESS**

**TO:** Senator Suzanne Chun Oakland, Chair, Committee on Human Services, Senator Will Espero, Chair, Committee on Public Safety, Senator Carol Fukunaga, Chair, Committee on Economic Development and Tourism, and Senator David Ige, Chair, Committee on Ways and Means

**FROM:** Max Gray, Chair, Partners In Care Advocacy Committee

**Hearing:** **Wednesday 4/13/11, 11:15 am, Room 211**

Chair Chun Oakland, Chair Espero, Chair Fukunaga, Chair Ige and Committee Members,

Thank you for the opportunity to submit comments on SCR 95, which requests departments and other agencies of the state and city to designate government parking lots for use at night by the homeless.

Partners In Care, as a consortium of service providers from across O'ahu, advocates on behalf of a diverse population of homeless men, woman and children. While we applaud the legislature's efforts to meet the basic needs of individuals living on the street, night time parking lots are not a "one-size-fits-all" solution. In order to serve its users effectively, parking lots must account for those suffering from substance abuse and mental illness. Users must have access to housing, employment training, educational opportunities, counseling and other services.

In addition, we urge the legislature not to divert money from other homeless programs in order to fund a parking lots project.

It is important to include the entire community in the planning and implementation of a temporary shelter such as the proposed parking lots project. Although we feel strongly that ***the only permanent solution to homelessness is safe, decent, affordable housing***, Partners In Care can assist with the development of overnight parking lots. There must be caution, prudence and careful deliberation before launching a project of this nature. Chief concerns include security, sanitation, legal liabilities and criteria for entry.

Partners In Care looks forward to working with legislators in the future to ensure that temporary shelters are not created without adequate planning and forethought. Thank you for hearing this bill and for your attention to this serious issue.