

# SB 2650

Measure Title: RELATING TO PROMOTION OF CONTROLLED SUBSTANCES.  
Report Title: Controlled Substances; Protected Places  
Description: Extends prohibition of promoting a controlled substance in, on, or near schools, school vehicles, or public parks to include public housing projects and complexes.  
Companion:  
Package: None  
Current Referral: HMS, JDL  
Introducer(s): KIM, CHUN OAKLAND, ESPERO, FUKUNAGA, KIDANI, RYAN, SHIMABUKURO, Dela Cruz, Hee, Ige, Ihara, Kahele, Kouchi, Nishihara, Slom, Taniguchi, Tokuda

NEIL ABERCROMBIE  
GOVERNOR



HAKIM OUANSAFI  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**  
DEPARTMENT OF HUMAN SERVICES  
HAWAII PUBLIC HOUSING AUTHORITY  
1002 NORTH SCHOOL STREET  
Honolulu, Hawaii 96817

BARBARA E. ARASHIRO  
EXECUTIVE ASSISTANT

Statement of  
**Hakim Ouansafi**  
Hawaii Public Housing Authority  
Before the

**SENATE COMMITTEE ON HUMAN SERVICES**

February 9, 2012 1:30 P.M.  
Room 016, Hawaii State Capitol

In consideration of  
**Senate Bill No. 2650**  
**Relating to Promotion of Controlled Substances**

Honorable Chair and Members of the Senate Committee on Human Services, thank you for the opportunity to provide you with comments regarding Senate Bill No. 2650, relating to promotion of controlled substances.

The Hawaii Public Housing Authority (HPHA) supports enactment of this measure which elevates the crime of promotion of controlled substances in, on, or near public housing projects to a Class C felony, with amendments. This measure will significantly improve the ability of the HPHA to ensure a secure, livable community for our residents. Currently, it is already a Class C felony to promote controlled substances in, on, or near public schools and public parks, so this amendment would bring criminal law in line with respect to public housing. HPHA will continue to work with police to refine our policies and procedures to effectively apply the provision, along with other necessary security improvements.

The HPHA respectfully requests that Section 1 of the bill (Section 712-1249.6(7), Hawaii Revised Statutes) be amended as follows:

"(7) For purposes of this section, "public housing project or complex" means a housing project directly controlled, owned, developed, or managed by the Hawaii public housing authority pursuant to the federal *or state* low-rent public housing program."

to ensure the measure benefits HPHA's residents of not only federal, but also state public housing projects.

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The HPHA appreciates the opportunity to provide the Senate Committee on Human Services with the agency's position regarding S.B. No. 2650. We respectfully request the Committee to pass this measure favorably, and we thank you very much for your dedicated support.

February 8, 2012

Aloha Senators,

My name is Kapiolani Silva and I am a tenant of Puuwai Momi Housing (Halawa) in Aiea. I am writing in support of SB 2650 Relating to the Promotion of Controlled Substances to Include Public Housing Projects and Complexes. I'd like to thank you all for taking the time to hear this much needed matter. The inclusion of Public Housing Projects to the law would be a foot in the right direction in attempting to break the cycle of drug abuse in a highly vulnerable environment.

Knowledge of accessing drugs in my community is common to children as young as 5 years old. In 2006 Puuwai Momi Volunteers for Youth, a parent lead and organized support group for families in the Makalapa Community, held a family event in the park. At this event we had several interactive activities. One of the activities was for the youth to identify areas in their community where they knew there was drug use, by placing a colored dot on the map of the Housing Project and its surrounding area. Needless to say, our map was well colored, and we were amazed at the age ranges and how young they were. I don't mean to sound naïve, we hear about the "at risk" studies and believe them to be true, but having them validated by five year olds drove the point home for those of us assessing the event at the time.

As a parent trying to raise my son the best I can, I can't ignore the fact that he comes into contact with drugs on a daily basis no matter what I do to educate him. It is accessible to him. In my mind, simple tasks like taking out the trash become life threatening because on any given day groups gather and cohort near the receptacle areas and "smoke pakalolo and drink". Including public housings and complexes to the current law would possibly cut off or minimize the availability and access to drugs. I know that my view is not popular with many of my neighbors, but that is why I believe it is necessary. Our children are currently protected by the current law in school and in parks, should they not be protected where they live as well?

It is my understanding that it is a privilege and not a right to be a tenant in a publicly subsidized housing project. I asked for help with rental assistance voluntarily, therefore giving up any right to privacy of self and home when I signed the lease agreement. As a parent and resident of Puuwai Momi Housing I beg of you to pass SB 2650 into law.

Mahalo for your time,

Kapiolani Silva,

99157 Kohomua Street

Email: huikapiolani@yahoo.com

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 06, 2012 6:39 PM  
**To:** HMS Testimony  
**Cc:** MolokaiMAN@basicisp.net  
**Subject:** Testimony for SB2650 on 2/9/2012 1:30:00 PM

Testimony for HMS 2/9/2012 1:30:00 PM SB2650

Conference room: 016  
Testifier position: Oppose  
Testifier will be present: No  
Submitted by: George Peabody  
Organization: <http://www.MolokaiAdvertiserNews.com>  
E-mail: [MolokaiMAN@basicisp.net](mailto:MolokaiMAN@basicisp.net)  
Submitted on: 2/6/2012

Comments:

The only beneficiaries of this misguided and ultra vires legislation are the underground criminal elements, police departments, prison industry, and bigger government politicians with powers not intended by the Constitution for the United States of America. The rest of us law abiding United States Citizens are injured and oppressed by such legislation. After 60-years of drug prohibition that has proven to be a failure, you still want to make it worse with more laws. You want to enforce drug laws, arrest and prosecute crack head Barack H. Obama II next time he visits Hawaii at Taxpayer expense!! That will make so many people happy they will no longer need drugs to be happy!