

MAR 13 2013

SENATE CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF HEALTH TO RECONVENE THE CLEAN AND
SOBER HOMES AND HALFWAY HOUSES TASK FORCE.

1 WHEREAS, clean and sober homes provide a means for persons
2 to return to the community by providing support in a home-like
3 environment without the structure of a special treatment
4 facility or therapeutic living program, both of which require
5 licensure; and
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7 WHEREAS, clean and sober homes are located in communities
8 through the State and provide housing for substance abuse and
9 mental health clients transitioning from a treatment setting to
10 life back in the community; and
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12 WHEREAS, halfway houses provide a stable living environment
13 for criminal offenders who are released under the supervision of
14 the Department of Public Safety, probationers under the
15 supervision of the Judiciary's Adult Client Services Branch, and
16 parolees under the supervision of the Hawaii Paroling Authority;
17 and
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19 WHEREAS, in 2012, the Clean and Sober Homes and Halfway
20 Houses Task Force was convened by the interim Director of Health
21 in response to and in anticipation of the need for housing of
22 probationers and parolees as a result of Act 139, Session Laws
23 of Hawaii 2012, and Act 140, Session Laws of Hawaii 2012, both
24 part of the Justice Reinvestment Initiative; and
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26 WHEREAS, the Clean and Sober Homes and Halfway Houses Task
27 Force examined concerns about housing for individuals
28 transitioning from institutionalization or treatment settings to
29 independent living within the context of public health and
30 safety; federal fair housing provisions; agency referral and
31 placement criteria and processes; county conditional use permit
32 applications and review criteria; and the registration and
33 monitoring of clean and sober homes and halfway houses; and



1
2 WHEREAS, at the conclusion of the Clean and Sober Homes and
3 Halfway Houses Task Force's scheduled meetings, members
4 recognized that despite their hard work and diligence, there
5 were a number of major issues that required further discussion;
6 now, therefore,
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8 BE IT RESOLVED by the Senate of the Twenty-seventh
9 Legislature of the State of Hawaii, Regular Session of 2013, the
10 House of Representatives concurring, that the Director of Health
11 is requested to reconvene the Clean and Sober Homes and Halfway
12 Houses Task Force; and
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14 BE IT FURTHER RESOLVED that to ensure continuity, the
15 Director of Health is requested, to the extent practical, to
16 include in the Clean and Sober Homes and Halfway Houses Task
17 Force representatives from the same entities that participated
18 in the original task force, such as:
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- 20 (1) Members of the Senate, as selected by the President of
21 the Senate;
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- 23 (2) Members of the House of Representatives, as selected
24 by the Speaker of the House of Representatives;
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- 26 (3) Representatives from the Judiciary's Adult Client
27 Services Branch;
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- 29 (4) Representatives from the Department of the Attorney
30 General;
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- 32 (5) Representatives from the Department of Health;
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- 34 (6) Representatives from the Department of Human Services;
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- 36 (7) Representatives from the Department of Public Safety;
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- 38 (8) Representatives from the Hawaii Paroling Authority;
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- 40 (9) Representatives from each county's planning
41 department;
- 42
- 43 (10) Homeless advocates;
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1 (11) Clean and sober homes providers; and

2

3 (12) Halfway house providers; and

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5 BE IT FURTHER RESOLVED that the Clean and Sober Homes and
6 Halfway Houses Task Force is requested to discuss and resolve
7 the following outstanding issues:

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9 (1) Clarifying the definitions of the terms "registration"
10 and "monitoring" as they relate to clean and sober
11 homes and halfway houses;

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13 (2) Determining appropriate sections of the Hawaii Revised
14 Statutes in which to insert the definition of terms
15 for which the task force has previously reached
16 agreement, including the terms "clean and sober home"
17 and "community home";

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19 (3) Clarifying the voluntary registry function and
20 determining its applicability beyond alcohol- and
21 drug-free housing for substance abusers and criminal
22 offenders;

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24 (4) Determining what department or agency should be
25 responsible for receiving, compiling, and following up
26 on complaints received about clean and sober homes and
27 halfway houses;

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29 (5) Drafting a budget that includes staffing and operating
30 costs to be incurred for start-up and ongoing expenses
31 for operation of the voluntary registry;

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33 (6) Developing criteria for policies, procedures, and
34 guidelines for operation of the voluntary registry;
35 and

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37 (7) Assessing the financial impact of imposing
38 registration and monitoring requirements that may
39 increase costs to clean and sober homes and halfway
40 house residents who have limited resources; and

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42 BE IT FURTHER RESOLVED that the Clean and Sober Homes and
43 Halfway Houses Task Force is requested to submit its findings
44 and recommendations, including any proposed legislation, to the



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1 Legislature no later than twenty days prior to the convening of
2 the Regular Session of 2014; and
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4 BE IT FURTHER RESOLVED that certified copies of this
5 Concurrent Resolution be transmitted to the Governor; President
6 of the Senate; Speaker of the House of Representatives; State
7 Administrator of the Judiciary; Attorney General; Director of
8 Health; Director of Human Services; Director of Public Safety;
9 Chairperson of the Hawaii Paroling Authority; Director of
10 Planning and Permitting of the City and County of Honolulu;
11 Director of Planning of the County of Hawaii; Director of
12 Planning of the County of Maui; Director of Planning of the
13 County of Kauai; Director of Makana O Ke Akua, Inc.; Chairperson
14 of the Hawaii Substance Abuse Coalition; Executive Director of
15 the Institute for Human Services; and Executive Director of T.J.
16 Mahoney & Associates, Inc.

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