

STAND. COM. REP. NO.

884

Honolulu, Hawaii

MAR 18 2013

RE: H.B. No. 87
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committee on Human Services, to which was referred H.B. No. 87 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

begs leave to report as follows:

The purpose and intent of this measure is to broaden criminal trespass in the first degree to include a person who enters or remains unlawfully in or upon the premises of a public housing project after a reasonable request or warning to leave by housing authorities or a police officer, excluding an invited guest who is not in violation of any law or public housing project rule.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. Testimony in opposition to this measure was submitted by the American Civil Liberties Union of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Hawaii Public Housing Authority continues to make improvements to security measures at many of the high risk housing projects, including the addition of fences, security fences, and photo identification cards for tenants. Enacting this measure will significantly improve the ability of the Authority to ensure a secure, livable community for residents. Meanwhile, the Authority will continue to work with local law enforcement and security personnel to refine policies and procedures to effectively keep residents safe and secure.



Your Committee has amended this measure by:

- (1) Replacing "police officer" with "law enforcement officer";
- (2) Adding language to require that the warning or request to leave is based upon an alleged violation of law or administrative rule;
- (3) Adding language to specify that a warning or request to leave is not necessary if a public housing project uses signs to mark the boundaries of the property and notify the public that the public housing project is closed to the public during certain hours; and
- (4) Deleting the "invited guest" provision for persons warned or requested to leave by housing authorities or law enforcement officers.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 87, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 87, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



