



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

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January 25, 2013

TO: The Honorable Rida T.R. Cabanilla, Chair
House Committee on Housing

FROM: Colin Kippen, State Homelessness Coordinator

SUBJECT: HB 535 Relating to Homeless Programs

Hearing: Monday, January 28, 2013; 8:45 a.m.
Conference Room 329, State Capitol

PURPOSE: The purpose of H.B. 535 is to mandate the designation of temporary nighttime parking lots within each county to provide locations where homeless individuals will be allowed to inhabit their cars overnight, where the use of alcohol or drugs will be prohibited and enforced in these private vehicles located in these publicly- designated parking lots, and where outreach, job counseling, and health care will be provided to the inhabitants of these automobiles in these parking areas during these nighttime parking hours.

HOMELESS COORDINATOR'S POSITION: The State Homeless Coordinator appreciates that the intent of this measure is to seek alternative solutions for homeless individuals who possess an automobile and desire to inhabit it overnight. While this is a positive and salutary goal, the Homeless Coordinator does not support this bill because it is inconsistent with the policy report adopted by the Hawaii Interagency Council to reject over night camping for homeless individuals at public facilities.

That report found that . . .“(c)reating camping areas for homeless individuals in our parks, and in our public buildings during evenings only. . .is unworkable, is not advisable, and should not be pursued. These findings are consistent with and supported by the plan to end homelessness adopted by the Hawaii Interagency Council on Homelessness. . .”to rapidly return people experiencing homelessness to stable housing. . .and to create and preserve permanent supportive housing options for people who are homeless. . .” (Report of the Hawaii Interagency Council on Homelessness, December 2012, page 3.)

The U.S. Department of Housing and Urban Development, the U.S. Interagency Council on Homelessness, and the Hawaii Interagency Council on Homelessness are united in their position that this strategy is inadvisable for the following reasons:

- This proposal is inconsistent with existing federal and state programs to stabilize homeless individuals by creating safe emergency and transitional shelters to prepare them for moving into and living in permanent supportive housing.
- This proposal potentially diverts scarce resources away from creating a path to permanent housing for homeless individuals.
- This proposal will not be able to guarantee the safety of homeless individuals for the evening and to provide safe and secure sanitation facilities for their use. A failure to be able to warrant and guarantee the safety and security of these overnight campers will create a potential risk of loss for the public entities involved.

Additionally, section 2 of the proposed measure potentially collides with the constitutional protections afforded drivers in their private vehicles and raises

constitutional and risk of loss issues to the county officials and their agents when they attempt to enforce the 'no alcohol and no drug use' prohibitions contained in section 2.

Finally, it will be virtually impossible for public service agencies to provide the confidential intake, screening, homeless outreach, homeless job counseling, and homeless health care services to automobile occupants in a way that guarantees the safety of the service provider as well as lives up to the standards of care in existence for these occupations. The impossibility of being able to provide such services within these mobile automobiles will require the provision of external facilities dedicated to the provision and housing of these services, which will substantially raise the cost and risk of loss to these service providers and to the sponsoring county governments involved.

Thank you for the opportunity to offer testimony on this bill.