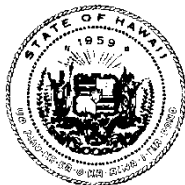


# **SB 944**

Measure Title: RELATING TO INTOXICATING LIQUORS.  
Report Title: Intoxicating Liquor; Public Housing; Prohibition  
Description: Prohibits open intoxicating liquor containers on any common area of a public housing project.  
Companion:  
Package: None  
Current Referral: HMS, JDL  
Introducer(s): WAKAI

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 5, 2013 1:15 P.M.  
Room 016, Hawaii State Capitol

In consideration of  
**Senate Bill No. 944**  
**Relating to Intoxicating Liquors**

Honorable Chair and Members of the Senate Committee on Human Services, thank you for the opportunity to provide you with comments regarding Senate Bill (S.B.) No. 944, relating to intoxicating liquors.

The Hawaii Public Housing Authority (HPHA) supports the enactment of this measure, which would prohibit the possession or storage of open containers holding intoxicating liquors on any sidewalk or common area of a public housing project under the jurisdiction of the HPHA.

Section 281-78, Hawaii Revised Statutes (HRS), currently prohibits the consumption of intoxicating liquors on public sidewalks, including any sidewalk within a public housing project as defined in sections 356D-1 and 356D-91, HRS. It further prohibits the consumption of intoxicating liquors in public housing common areas. However, there are two deficiencies with the statute that the agency believes need correction.

First, this prohibition can be difficult to enforce since it is limited by the word "consumption" which requires that either: A police officer visibly observe a perpetrator in the action of imbibing intoxicating liquor; or a witness be willing to testify to visibly observing a perpetrator in the action of imbibing intoxicating liquor. By broadening the prohibition to storage and possession, the requirement of physically observing a perpetrator in the act of imbibing in order to support prosecution is removed. Violations would be easier to report and enforce, thereby promoting a reduction in violations of the prohibition.

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Second, the statute is limited to public housing projects as defined in sections 356D-1 and 356D-91. These statutes correspond only to properties in the HPHA's Federal low-income public housing inventory. By changing the statute to refer to public housing projects as defined in sections 356D-1 and 356D-51, the prohibition would apply to the HPHA's State low-income public housing in the same manner.

The HPHA appreciates the opportunity to provide the Senate Committee on Human Services with the agency's position regarding S.B. No. 944. We respectfully request the Committee to pass this measure favorably, and we thank you very much for your dedicated support.