

STAND. COM. REP. NO. 447

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 943
S.D. 1

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

Madam:

Your Committees on Human Services and Public Safety,
Intergovernmental and Military Affairs, to which was referred S.B.
No. 943 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to broaden the
offense of 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, unless the invited guest is violating a law or
public housing project rule.

Your Committees received testimony in support of this measure
from the Department of the Attorney General and Hawaii Public
Housing Authority. Your Committees received testimony in
opposition to this measure from the American Civil Liberties Union
of Hawaii.

Your Committees find 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



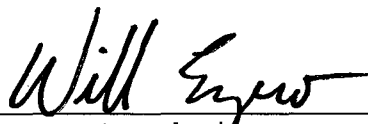
enforcement and security personnel to refine policies and procedures to effectively keep residents safe and secure.

Your Committees have amended this measure by:

- (1) Changing references from "police officer" to "law enforcement officer";
- (2) Specifying that an alleged violation of law or administrative rules shall serve as the basis for housing authorities and law enforcement officers to issue reasonable warnings or requests to leave, the violation of which constitutes the offense of criminal trespass in the first degree; and
- (3) Removing language relating to a warning or request to leave not being necessary between 10:00 p.m. and 5:00 a.m. whether a person is not an invited guest and deleting the definition of "invited guest" as a conforming amendment.

As affirmed by the records of votes of the members of your Committees on Human Services and Public Safety, Intergovernmental and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 943, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 943, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Public Safety,
Intergovernmental and Military
Affairs,



WILL ESPERO, Chair



SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 943	Committee Referral: HMS/PSM, JDL	Date: 2/7/13		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, Josh (VC)	✓			
KIDANI, Michelle N.	✓			
TANIGUCHI, Brian T.				✓
SLOM, Sam				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

