



HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 13, 2014
Rm. 329, 9:30 a.m.

To: The Honorable Mele Carroll, Chair
Members of the House Committee on Human Services

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 1889

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

H.B. No. 1889, if enacted, would establish a statutory homeless person’s bill of rights. The HCRC offers these comments on the bill.

The HCRC opposes discrimination and disparate treatment against people because they are poor or homeless. Regardless of socio-economic class, all of Hawai‘i’s people should be accorded respect and dignity, equal opportunity, and equal protection of law. People should not be denied access to goods, services, accommodations, or opportunities based on discriminatory reasons. It should be recognized and acknowledged that these proposed protections, while they may overlap with existing protected bases (e.g., disability) that are disparately impacted by discrimination against the poor, are different in kind from the other protected bases in our civil rights / non-discrimination laws (race, ancestry, sex, etc.).

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 702 Honolulu, Hawaii 96813

Phone: (808) 531-2198 Fax: (808) 534-1199

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Daryl Selman, President
Judith F. Clark, Executive Director
Aloha House
American Civil Liberties Union of Hawaii
Bay Clinic, Inc.
Big Brothers Big Sisters of Honolulu
Big Island Substance Abuse Council
Blueprint for Change
Bobby Benson Center
Catholic Charities Hawaii
Child and Family Service
Coalition for a Drug Free Hawaii
Courage House Hawaii
Domestic Violence Action Center
EPIC, Inc.
Family Programs Hawaii
Family Support Hawaii
Hale Kipa, Inc.
Hale 'Opio Kauai, Inc.
Hawaii Behavioral Health
Hawaii Student Television
Healthy Mothers Healthy Babies Coalition
Hina Mauka Teen Care
Hui Malama Learning Center
Kaanalike
Kahi Mo'hala Behavioral Health
KEY (Kualoa-Hee'ia Ecumenical Youth)
Project
Kids Hurt Too
Kokua Kalih'i Valley
Life Foundation
Marimed Foundation
Maui Youth and Family Services
Palama Settlement
P.A.R.E.N.T.S., Inc.
Parents and Children Together (PACT)
Planned Parenthood of Hawaii
REAL
Salvation Army Family Intervention Svcs.
Salvation Army Family Treatment Svcs.
Sex Abuse Treatment Center
Susannah Wesley Community Center
The Catalyst Group
The Children's Alliance of Hawaii
Waikiki Health Center
Women Helping Women
YWCA of Kauai

February 11, 2014

To: Representative Mele Carroll, Chair
And members of the Committee on Human Services

Testimony in Support of HB 1889 Relating to a Homeless Person's Bill of Rights

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, supports HB 1889 Relating to a Homeless Person's Bill of Rights.

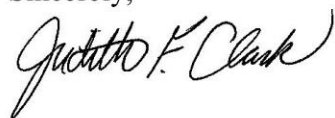
Homeless persons often experience discrimination based on their appearance or lack of permanent address. Employment, voting, emergency medical care, and access to government services are important for them.

One area of need that is not addressed in the bill of rights is access to bathroom facilities. Business owners and residents should be allowed to restrict the use of their facilities to customers and guests. At the same time, all persons, no matter what their housing status is, need access to toilets. When public toilets are not available, the result is unpleasant smells and sights, and a public health hazard that could result in serious illness.

One of the frequent complaints about homeless persons is that they are dirty and smell bad. If public toilet and showers were readily available to homeless people, nearly all of them would bathe and wash their clothing on a regular basis. They would be less noticeable and less likely to experience discrimination if they were able to keep themselves clean.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director

February 10, 2014

COMMITTEE ON HUMAN SERVICES

Rep. Mele Carroll, Chair
Rep. Bertrand Kobayashi, Vice Chair
Della Au Belatti
Rep. Richard Creagan
Rep. Beth Fukumoto
Rep. Mark J. Hashem
Rep. Jo Jordan
Rep. Dee Morikawa
Rep. Marcus R. Oshiro
Rep. Justin H. Woodson

NOTICE OF HEARING

DATE: Thursday, February 13, 2014

TIME: 9:30AM

PLACE: Conference Room 329, State Capitol, 415 South Beretania Street

**RE: TESTIMONY IN STRONG SUPPORT OF HB1889
RELATING TO HOMELESS PERSONS BILL OF RIGHTS**

Aloha, Committee on Human Services:

On behalf of the Pacific Alliance to Stop Slavery (PASS), I stand in strong support of HB1889. PASS supports this bill for many reasons including our mission to protect juveniles at high risk for human trafficking who are houseless and endangered runaways who deserve basic rights, services, and care in this present culture of criminalization.

Establishing a Bill of Rights for the Houseless will restore the eroded rights that have taken place due to the passage of recent City Ordinances which in practice criminalize the houseless in the name of "public safety." However, public safety is never achieved in this way. Examples of ordinances include, in lay terms, the confiscation of property and the fining of houseless persons (City Ordinance 11-029 aka Bill 59 and Ordinance 13-8, aka Bill 7).

There are also bills in the State that currently seek to further criminalize nonviolent houseless including HB1660 Relating to Sidewalks and HB2409 Relating to Disorderly Conduct. This must stop. The application of laws that currently exist to disproportionately criminalize the houseless for finding respite on the sidewalk, because everywhere else has been outlawed, has resulted in many abuses of innocent people by law enforcement and city officials. These abuses include: verbal harassment, physical assault, and the unconstitutional seizure of property belonging to houseless persons and families.

It has become clear that the Houseless have become an unprotected class suffering from abuse and an erosion of basic civil rights through their recent criminalization through laws described above. For this reason we must establish a Bill of Rights for the Houseless.

I enumerate some facts to consider with regard to criminalization and erosion of rights for the Houseless:

- 1) **PRISON OVERCROWDING/INCARCERATION OF NONVIOLENT OFFENDERS:** Established ordinances and laws that criminalize the houseless exacerbate the overcrowding of our prison system and add more costs for the price of incarceration. To make room for the influx of more inmates, other inmates who have committed felonies, would be either moved into the Federal Detention Center (FDC) or to mainland prisons, all at the taxpayers' expense.
 - i. As of the end of 2009, it cost approximately \$118 per day to incarcerate an inmate in OCCC (over \$42,000 per year per inmate), and at least \$62 per day to incarcerate him or her in a private prison on the mainland (over \$22,000 per year per inmate)¹.
 - ii. Furthermore, it is unjust to incarcerate nonviolent offenders along with violent convicted felons as a method of "rehabilitation" or to prevent recidivism. It only serves to traumatize these nonviolent offenders and create anti-social behavior.

- 2) **WASTE OF TAXPAYER DOLLARS:** Criminalizing the houseless has proved, in other places (San Francisco, Los Angeles, South Carolina, Massachusetts, Florida, etc.) as well as in Honolulu, to be massively ineffective and only succeeds in wasting taxpayer dollars. Once the "offenders" have served their time, they go back to the streets and sidewalks and the State and City will have accomplished nothing. The only outcome these policies do is make it even harder for houseless persons to exit out of poverty since they will then have an additional hardship: a criminal record. <http://www.kitv.com/news/hawaii/sidewalk-nuisance-law-has-done-little-to-clear-clutter/-/8905354/21507216/-/8sv5eez/-/index.html>
 - a. Mayor Caldwell has already spent well over \$300,000 on city sweeps of the houseless—moving them from one district to another. <http://www.kitv.com/news/hawaii/city-plans-on-homeless-sweeps-3-times-a-week/-/8905354/23876950/-/guhguxz/-/index.html>
 - b. Criminalization is no solution to addressing poverty, houselessness, or public safety. And this fact has been proven by other cities faced with similar problems as Honolulu. Between 2004 and 2008, San Francisco spent \$9.8 million dollars on incarcerating the houseless with no significant impact on houselessness or public safety.

- 3) **DEHUMANIZATION:** Criminalization of the houseless has serious repercussions in our overall society. When marginalized groups of people are criminalized by law, surrounding community members tend to dehumanize this group as we've seen throughout the past, especially with the

¹ Johnson, D. (2011) Hawaii's Imprisonment Policy and the Performance of Parolees Who Were Incarcerated In-State and on the Mainland. Hawaii State Department of the Attorney General. Retrieved on January 11, 2014, from: <http://ag.hawaii.gov/cpia/files/2013/01/AH-UH-Mainland-Prison-Study-2011.pdf>



THE PACIFIC ALLIANCE
TO STOP SLAVERY

Nuremberg Laws of Nazi Germany. In present day Hawaii, we have seen several violent beatings, and even murder of houseless persons in the recent past, coming on the heels of well publicized laws and ordinances criminalizing the houseless. <http://www.examiner.com/article/third-homeless-man-murdered-on-oahu-6-weeks>

- 4) **HUMAN RIGHTS VIOLATION:** Criminalizing the houseless is also a human rights violation recognized by the United Nations. The UN has called upon the United States to repeal laws criminalizing homelessness. <http://www.unmultimedia.org/radio/english/2012/04/united-states-urged-to-repeal-laws-criminalizing-homelessness/>

The Bill of Rights established by HB1889 will counter the bad policies and re-focus our efforts on proven solutions such as funding affordable housing projects, allowing tax relief for low-income workers and families, appropriations to services such as mental health and drug rehabilitation, and investing in public education. All of these things, including maintaining our basic civil rights for all people, reduce the poverty that leads to houselessness. However, if any groups' rights have been eroded, clear and swift attention must be paid in restoring justice for that group. HB1889 brings this restorative justice to the poor.

Houseless population on O'ahu

According to the 2013 Point In Time Study, between 2012 and 2013, the houseless population in Honolulu County increased 4.7%, more than any other county in Hawai'i. Among O'ahu's houseless, the portion that live unsheltered is growing rapidly, by a margin of 11% since 2012 and 23% since 2009. The rate of unsheltered families with children also rose 5% since 2012.

PASS kindly urges your committee to pass HB1889.

Sincerely,

Kathryn Xian
Executive Director

Hawaii Guerrilla Video Hui

H. Doug Matsuoka

PO Box 22046 / Honolulu HI 96823

@hdoug on Twitter

11 February 2014

Re: SUPPORT FOR HB1889 RELATING TO A HOMELESS PERSON'S BILL OF RIGHTS

Aloha Chair Carroll, Vice Chair Kobayashi, and the Committee,

How much justice can you afford? If you're homeless, very little.

As a founding member of Hawaii Guerrilla Video Hui I have documented the wholesale violation of civil rights of the men, women, and children who lacking private residence have been forced to find ad hoc accommodation in public places.

The Bill of Rights proposed by HB1889 is very similar to legislation recently passed in Rhode Island, Connecticut and Illinois, and addresses what is emerging as one of the important issues of our time, Homeless Civil Rights.

Particularly in need of its protection are homeless of the City & County of Honolulu who have had to endure the continuous enactment of ordinances targeting them:

- Although proposed as a "stored property" ordinance, 2011's Bill 54 (now 11-029 Revised Ordinances of Honolulu) has been used almost exclusively against the homeless to deprive them of items necessary for the acts of living, including tents, bedding, clothing, food, medication, and even personal identification.
- Bill 7 (13-8 ROH) implemented this past July allows City of Honolulu Department of Facility Maintenance crews to immediately seize aforementioned items necessary for the acts of living without any notice at all. In practice, Bill 7 raids are performed by convoys of City heavy equipment at 2am and returning again at 4am to catch the homeless unawares and to hide these actions from the public under cover of darkness.
- Proposed Bill 59 criminalizes "lying down on the sidewalk," and although this bill was deferred partly because of its direct violation of the Law of the Splintered Paddle (incorporated into the State Constitution at Article IX Section 10), Honolulu's Mayor Caldwell has written that the City regards Kamehameha's Law of the Splintered Paddle serves "**only** as a symbol for the State's concern," and as such Bill 59 criminalizing the homeless does not violate the law.

In addition to these Honolulu ordinances targeting the homeless, the State Legislature is proposing laws like HB2409 which criminalizes those lying down at a bus stop with "disorderly conduct" and a \$50 fine.

All of us, including the homeless are supposed to have:

- First Amendment protection to peaceable assembly and free speech;
- Fourth Amendment protection against unreasonable search and seizure;
- Fifth Amendment assurance of due process;
- Fourteenth Amendment guarantee of equal justice under law; and
- Law of the Splintered Paddle assurance of safety on the sidewalk and of protection from the abuse of power.

A Homeless Bill of Rights such as that proposed in HB1889, would go a long way in helping the homeless acquire the rights enjoyed by the rest of the community but which they are currently denied, the civil rights that must protect all of us to protect any of us.

Mahalo nui for your public service.

H. Doug Matsuoka
Hawaii Guerrilla Video Hui

kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 12, 2014 8:25 AM
To: HUS testimony
Cc: laulani@gmail.com
Subject: Submitted testimony for HB1889 on Feb 13, 2014 09:30AM
Attachments: HB1889HUS.pdf

HB1889

Submitted on: 2/12/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Laulani Teale	Ho'opae Pono Peace Project	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 12, 2014 2:25 AM
To: HUS testimony
Cc: respectrootswoman@gmail.com
Subject: *Submitted testimony for HB1889 on Feb 13, 2014 09:30AM*

HB1889

Submitted on: 2/12/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Gina Kan	Individual	Oppose	No

Comments:

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kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 11, 2014 1:57 AM
To: HUS testimony
Cc: j.lilinoe@gmail.com
Subject: Submitted testimony for HB1889 on Feb 13, 2014 09:30AM

HB1889

Submitted on: 2/11/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Josephine Keliipio	Individual	Support	No

Comments: I strongly support a Bill of Rights for the homeless. Mahalo, Josephine Keliipio, Kailua-Kona, Hawaii 96740

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kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 11, 2014 4:06 PM
To: HUS testimony
Cc: krisstatler@yahoo.com
Subject: *Submitted testimony for HB1889 on Feb 13, 2014 09:30AM*

HB1889

Submitted on: 2/11/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kristina Statler	Individual	Support	No

Comments:

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TESTIMONY IN SUPPORT OF HB1889 RELATING TO THE HOMELESS PERSONS' BILL OF RIGHTS

Aloha, my name is Michael Tada and I stand in full support of HB1889, Homeless Persons' Bill of Rights. Over the past two years I have been involved in the De Occupy Honolulu movement. During that time I have been witness to numerous raids on our encampment, as well as the houseless encampment on the Victoria Street/ Beretania Street corner of Thomas Square.

I think that the first place to begin this essay would be to look at some of the reasons why people become houseless. I think the first place to look for a reason would be to look at the job market. With the minimum, wage starting at \$7.25/hour, and rent for a decent apartment starting at around \$1,000.00, figuring in food, clothing, personal care, etc., let's be real, it's VERY HARD to survive for a family of three. We need to totally abolish the minimum wage, and come up to a LIVING WAGE. This would be a very must do thing before we condemn ANY houseless person. That to me should be a non starter. With everything in Hawai'i costing more than what the continental US charges, and with the minimum wage is less than adequate, is it any wonder why many people are houseless? Not to mention the lack of jobs, good paying jobs

due to the current economic situation we now are currently facing. When a couple has to choose between food for the family or rent, you know that a serious situation is on our hands. When healthcare causes a family to file bankruptcy, you know something is not right. Add to that what is regarded as 'entertainment' where women are all too often portrayed in an almost humiliating role of being a sex symbol for man's desires, to be used, abused, raped, and then tossed out like yesterday's news. All of these are signs signaling that we have definitely lost our way. When theft is celebrated (Can you say 'statehood day?'), without any feelings of guilt, (Need I mention the number of NATIVE HAWAIIANS THAT ARE HOUSELESS IN THEIR OWN HOMELANDS?), when lies are taught in school in ALL LEVELS) Example: Hawai'i is the 50th state), you know that we are on life support!

We have to remember that people who are houseless are human beings who, for the reasons mentioned above, need help, not criminalization. This Bill of Rights is a good first step in maintaining the civil and human rights of all who are houseless.

In closing, I just want to say a big Mahalo for considering this bill. It is my prayer that this bill passes and is fully implemented in such a way that we live up to our name as the 'ALOHA' State!

Mahalo for hearing my testimony!!

kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 11, 2014 6:17 PM
To: HUS testimony
Cc: ponosize@hotmail.com
Subject: *Submitted testimony for HB1889 on Feb 13, 2014 09:30AM*

HB1889

Submitted on: 2/11/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Pono Kealoha	Individual	Support	No

Comments:

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kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 11, 2014 9:04 PM
To: HUSstestimony
Cc: neswmusic@yahoo.com
Subject: *Submitted testimony for HB1889 on Feb 13, 2014 09:30AM*

HB1889

Submitted on: 2/11/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Rick Morse	Individual	Support	No

Comments:

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kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 11, 2014 10:52 AM
To: HUS testimony
Cc: shannonkona@gmail.com
Subject: Submitted testimony for HB1889 on Feb 13, 2014 09:30AM

HB1889

Submitted on: 2/11/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: STRONGLY SUPPORT. As a thirty three year resident of Hawai'i I am ashamed of how some elected leaders are treating the homeless population. Utah is renting apartments for homeless people and SAVING money, homelessness there is down 77%. WHY do we insist on approaching this problem backwards? I can't believe all of the money we have wasted on chasing people around and dumping their belongings. Shameful. There's GOT to be a better way.

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IN SUPPORT OF HB1889, Relating to Homeless Bill of Rights

Regular Session of 2014

Hearing on Monday, February 13, 2014 at 9:30 a.m. in room 329

For: Honorable Chair and Vice Chair and members of the Human Services Committee

Dear Madams and Sirs,

My name is Suzanna Kinsey and I am a registered voter and a concerned community member. I strongly support HB1889.

My family and I have seen how homeless people are treated here in Honolulu and are downright disgusted. We have even seen the wheelchair of a disabled person confiscated. We have seen countless items be thrown into the garbage as the owner stood by helplessly and police officers dressed in aloha wear direct city workers to take people's belongings away. We have seen items taken away illegally as they were not properly tagged for removal by the officials. There are families with young children on the streets right now who are enduring the brutality of our system. This needs to stop.

Some people point out that there are services available for these people but we have to recognize that not everyone falls within the criteria that is required. Everyone deserves a choice in the way they choose to live. Everyone deserves respect as a human being.

I hope this bill will bring some dignity back to the way human beings are treated. Homeless people are humans just like you and I. Treat every person with respect please.

I strongly support HB1889.

Thank you for your time and effort,
Suzanna Kinsey

kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 10, 2014 11:10 PM
To: HUS testimony
Cc: toddhairgrove@hotmail.com
Subject: *Submitted testimony for HB1889 on Feb 13, 2014 09:30AM*

HB1889

Submitted on: 2/10/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Todd Hairgrove	Individual	Support	Yes

Comments:

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DATE: Thursday, February 13, 2014

TIME: 9:30AM

PLACE: Conference Room 329
State Capitol
415 South Beretania Street
Honolulu, HI

Honorable Members of the House Committee on Human Services,

My name is Brian Brazier and I am an attorney licensed to practice law in our beautiful state. I have made it my mission to help, to the extent that I can, the most vulnerable and at-need members of our society. I currently represent certain members of the (De)Occupy Honolulu movement that have been encamped at Thomas Square, in two federal lawsuits.¹ (I would be happy to provide more information on those lawsuits if the members so desire) These lawsuits challenge the constitutionality of the city's pervasive violations of the 1st, 4th, and 5th amendments of the United States Constitution as well as Article 1, sections 2, 5, and 8 of the Hawaii Constitution, and Article 9, section 10 of the Hawaii Constitution, mamala-hoe kanawai ("Let every elderly person, woman and child lie by the roadside in safety"). In the course of that representation, I have personally witnessed and have been made aware of governmental conduct towards the homeless population that has no place in a civilized society.

Routinely, the houseless population of our island is made to feel less than human. Their property is searched, seized, and even stolen by our governmental representatives. They are hounded, badgered, and denied the dignity that every human being deserves. I recognize the "not-in-my-backyard" mentality that goes into denying these individuals the right to simply exist, but the steps that the City and County of Honolulu have taken to "clean things up" is reprehensible.

This bill is a great, FIRST step to acknowledge the rights of all citizens of our great state, and a welcome departure from the recent efforts to criminalize human existence. Honolulu Bill 6, refashioned as Bill 3, would have made it illegal to simply be a human being in our community. The houseless population of our state exists; we must recognize that. We must

¹ Federal case numbers 12-000668 and 13-00475

assure that all members of our community are afforded the rights guaranteed by the Constitution of the United States and the Constitution of the State of Hawai'i.

This committee has the opportunity to enshrine in law that the person, privacy, and property of the most vulnerable members of our society are safeguarded and protected. From a legal perspective, this bill does not have any "teeth," meaning that it doesn't provide a legal remedy when the aforementioned rights are violated, but it does set the groundwork for further efforts to protect every member of our community. Criminalizing the right to human existence wastes valuable resources that could be spent to provide police assistance where it is actually needed, to improve our infrastructure and to improve our education system. From my experience, the homeless people that I have met are productive (or seeking to be more productive) members of our community who have fallen on hard times. I encourage you to push forward on efforts to ensure that our houseless population receives the respect that is due to every human being. If we want to earn the right to call ourselves the Aloha State, the sense of aloha must not be limited to those with a fancy house and a fancy car. It is our duty to make the spirit of aloha flow to everyone, regardless of her/his current circumstances in life.

Sincerely,

Brian Brazier, Esq.
brianbrazierlaw@gmail.com
808-922-2032

kobayashi1-Joni

From: Faye Kennedy <fkennedy@hawaii.rr.com>
Sent: Wednesday, February 12, 2014 3:49 PM
To: HUS testimony
Cc: Rep. Bertrand Kobayashi
Subject: H.B. 1899



DATE: 2/12/14
TO: Representative Mele Carroll, Chair
Committee on Human Services and Members
FROM: Faye Kennedy and Dr. Amy Agbayani, Co-chairs
Hawai'i Friends of Civil Rights (HFCR)
RE: H.B. 1889 A Homeless Persons Bill of Rights
2/13/14 Room 329 9:30 a.m.

Thank you for the opportunity to submit this testimony in strong support of this bill designed to protect the homeless from harassment, intimidation or criminalization as they struggle to survive without adequate shelter in our community.

As an organization committed to promoting the values of Dr. MLK, Jr. by seeking justice and equality for the most vulnerable members of our society, HFCR feels this legislation is long overdue. We deplore legislation that results in the removal of the homeless' personal property and penalizes them as they try to exist when there is inadequate affordable housing or other public or private facilities available.

While there are myriad reasons for homelessness from lack of work to inability to support overly large families to mental issues or even drug addiction, we feel our Aloha State has an obligation to show compassion for these unfortunates until the appropriate remedies are found. It is an embarrassment that instead, our state has one of the worst records for dealing with the homeless problem.

I'm not sure if this is the exact quote but if you believe that "an injustice to one is an injustice for all" you will pass this bill overwhelmingly despite the inevitable opposition to it. Please feel free to call me at 732-4987 or Amy at 783 -4867 if we can be of any further assistance.

Aloha and Mahalo, Faye K (and Amy)

LATE



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

**TESTIMONY FOR HOUSE BILL 1889, RELATING TO A HOMELESS
PERSON'S BILL OF RIGHTS**

**House Committee on Human Services
Hon. Mele Carroll, Chair
Hon. Bertrand Kobayashi, Vice Chair**

**Thursday, February 13, 2014, 9:30 AM
State Capitol, Conference Room 414**

Honorable Chair Carroll and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that boasts over 175 local members. On behalf of our members, we offer this testimony in support of, with proposed amendments for House Bill 1889, relating to a homeless person's bill of rights.

Homeless people are human beings. To date, the City and County of Honolulu has spent more than \$350,000 enforcing sidewalk nuisance regulations that went into effect last year, despite recent recognition by federal courts that homeless people's property is protected by the Constitution's due process and the Fourth Amendment's privacy guarantees. These efforts evince and symbolize a mean-spirited dehumanization of our state's homeless population, many of whom are hardworking men and woman struggling to find financial opportunities that match Hawaii's high cost of living.

That said, we encourage you to amend Section 1 of this bill by adding a subsection (8), to read: **(8) Apply for and choose to accept assistance or services from any federal, state, or county government to improve one's quality of life without discrimination based upon being homeless, mental illness, substance abuse, or domestic violence.** Many housing options for the homeless, especially shelters, require homeless persons to seek, obtain, and maintain self-benefit or rehabilitation programs as a condition for admittance. The City and County of Honolulu, where the state's homeless majority resides, is currently moving toward implementation of a Housing First Initiative, which

provides immediate housing before offering a variety of support services. Our state has received a \$2.1 million grant from the Substance Abuse and Mental Health Administration to cover the cost of piloting the program for 100 people. The Housing First paradigm operates on the assumption that homeless people must meet basic survival needs before treatment or assistance programs can be effective. Thus, in our view, it is important to codify this philosophy into the list of rights proposed by this measure, emphasizing that homeless persons cannot be rejected by support services or government programs, like Housing First, because of factors ancillary to and exacerbated by the state of being homeless.

Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Legislative Director

kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
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HB1889

Submitted on: 2/13/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Ben Robinson	Individual	Oppose	No

Comments:

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HB1889

Submitted on: 2/12/2014

Testimony for HUS on Feb 13, 2014 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Pollack	Individual	Support	No

Comments: Please stand up for Kānāwai Māmalahoe! Everyone deserves dignity.

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