

HB2409



**Office of the Public Defender
State of Hawaii
Timothy Ho, Chief Deputy Public Defender**



**Testimony of the Office of the Public Defender,
State of Hawaii to the Senate Committee on Judiciary & Labor**

March 19, 2014, 10:00 a.m.

H.B. No. 2409: RELATING TO DISORDERLY CONDUCT

Chair Hee and Members of the Committee:

This measure would add a subsection to §711-1101 of the Hawaii Revised Statutes, making lying down at a bus stop or shelter a petty misdemeanor offense of disorderly conduct. The Office of the Public Defender opposes H. B. 2409.

The offense of disorderly conduct involves the proscription of bad conduct or behavior. The behavior described in the statute includes fighting, threatening, tumultuous behavior, offensively coarse behavior, and unreasonable noise, to name a few. The conduct that is being proscribed in this measure is lying down in a manner that impedes or obstructs the use of or access to the bus stop.

Enforcement of this measure will be a problem. How do you differentiate between someone who fell asleep waiting for the bus and someone who is homeless and sleeping at the bus shelter? What happens if the person is sleeping on a cot, or beach chair, or if a group of people, living at the bus shelter, take turns sleeping and looking out for police officers? This measure cannot be enforced if the person lying down at the bus stop or shelter is not impeding or obstructing the use of or access to the bus stop.

While it is true that people sleeping at or near bus stops may inconvenience the public, criminalizing such behavior is not the answer. Have you ever heard anyone describe homelessness as a crime? Homelessness is not and should not be a crime. We have to look at solutions and answers to the homeless situation, which would in turn solve the problem of people living at or near bus stops.

We oppose the passage of H.B. No. 2409. Thank you for the opportunity to be heard on this matter.

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

KIRK CALDWELL
MAYOR



MICHAEL D. FORMBY
DIRECTOR

MARK N. GARRITY, AICP
DEPUTY DIRECTOR

March 18, 2014

The Honorable Clayton Hee, Chair
and Members of the Committee on
Judiciary and Labor
State Senate
State Capitol, Room 407
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Hee and Members of the Committee:

SUBJECT: Testimony on House Bill No. 2409 Relating to Disorderly Conduct

I am Michael D. Formby, Director of the Department of Transportation Services (DTS) of the City and County of Honolulu.

DTS supports House Bill 2409. The purpose of this measure is to make it a finable offense for one to lie down at a bus stop shelter or structure in a manner that impedes or obstructs the use of or access to the bus stop.

DTS regularly receives complaints from the transiting public regarding individuals sleeping at, camping out at or otherwise occupying bus shelters and stops for purposes other than boarding or alighting from a bus. We appreciate the Hawaii State Legislature taking bold steps to encourage individuals to not occupy bus shelters and stops for non-transit reasons and for setting up an enforcement mechanism that will discourage such conduct. Bus shelters and bus stops must be available for the transiting public, many of whom are disabled and/or elderly.

Thank you for the opportunity to testify on House Bill No. 2409.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael D. Formby".

Michael D. Formby
Director



Oahu Transit Services, Inc.

811 Middle St. Honolulu, HI 96819-2316
telephone (808) 848-4400 facsimile (808) 848-4419

www.thebus.org

TheBus
TheHandi-Van

**TESTIMONY OF Roger Morton
In Support of HB2409, Relating to Disorderly Conduct
Before the Senate Committee on Judiciary & Labor
Wednesday, March 19, 2014 - 10:00 a.m.**

Aloha Chair Hee and members of the Senate Committees on Judiciary and Labor,

My name is Roger Morton, and I am the President & General Manager of Oahu Transit Services, Inc. Oahu Transit Services is in support of HB 2409, relating to disorderly conduct at transit facilities.

We recognize that homelessness is one of the greatest problems our community faces. We also recognize that the community needs to come up with real options for homeless individuals and families. However, allowing a homeless person to take up residence in bus shelters is not a solution. Bus shelters are a form of transit facility in the same sense that transit centers are today and rail stations will be tomorrow. Bus shelters and transit centers are provided to facilitate and support public use and access to our transit system. Currently, there is no legal basis for action by the police department to enforce transit-only use of bus shelters.

Currently, about 15 bus shelters have homeless individuals living within them. Our staff regularly has to deal with feces at the bus stop. Sometimes it is necessary, due to sanitary or behavior issues to establish "temporary" bus stops away from the bus stop at a sheltered stop while waiting for the Department of Facility Maintenance or a private contractor to power wash the facility. Bus stops with bus shelters usually have carefully engineered landing pads to meet ADA requirements. When it is necessary to temporarily relocate a bus stop, the temporary area may be at a point that is less safe and may present difficulties to individuals using mobility devices.

Our office receives numerous complaints from the public complaining about individuals occupying bus shelters and depriving the public from the amenity of having a sheltered area to wait.

For these reasons, Oahu Transit Services supports the passage of this common sense measure.

Thank you for the opportunity to testify on this important measure.

J. ROGER MORTON
President & General Manager

JRM:cyh



Committee: Committee on Judiciary and Labor
Hearing Date/Time: Wednesday, March 19, 2014, 10:00 a.m.
Place: Conference Room 016
Re: Testimony of the ACLU of Hawaii with Comments on H.B. 2409, Relating to Disorderly Conduct

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes with comments on H.B. 2409, which makes it an offense to lie down at a bus stop shelter or structure in a manner that interferes with use of or access to the bus stop

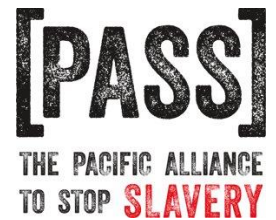
The current bill is one of several pending in the legislature that seeks to criminalize the status of homelessness. As the Ninth Circuit found in *Jones v. City of Los Angeles*, 444 F.3d 1118, 1132 (9th Cir. 2006), *vacated pursuant to settlement*, 505 F.3d 1006 (9th Cir. 2007), criminalization of basic human functions in the absence of options for shelter violates the Eighth Amendment prohibition against cruel and unusual punishment. As the available spaces and facilities for the homeless decrease, the likelihood for action under *Jones* increases. Moreover, the ACLU of Hawaii cautions that discriminatory enforcement of any such law could give rise to an Equal Protection challenge.

Thank you for this opportunity to testify.

Sincerely,

Lois K. Perrin
Legal Director
ACLU of Hawaii

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawaii 96801
T: 808.522-5900
F: 808.522-5909
E: office@acluhawaii.org
www.acluhawaii.org



March 15, 2014

COMMITTEE ON JUDICIARY

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senator Mike Gabbard
Senator Brickwood Galuteria
Senator Les Ihara Jr.
Senator Malama Solomon
Senator Sam Slom

NOTICE OF HEARING

DATE: Wednesday, March 19, 2014
TIME: 10:00am
PLACE: Conference Room 016, State Capitol

**RE: TESTIMONY IN STRONG OPPOSITION TO HB2409 WITH RECOMMENDATIONS TO AMEND EXISTING
LAW
RELATING TO DISORDERLY CONDUCT**

Aloha, Committee on Judiciary:

Of all the bills currently seeking to maintain the public safety, but would directly or indirectly criminalize the houseless in an explicitly unconstitutional manner, HB2409 is particularly worrisome because it relates the state of lying at a bus stop with “Disorderly Conduct.” If passed, it would criminalize non-threatening and non-violent behavior.

While we support the intent to maintain public safety, the Pacific Alliance to Stop Slavery is in strong opposition to HB2409 and kindly urge you to defer this unnecessary measure seeking to further criminalize and dehumanize the houseless through its application. There is no need to amend current law in this way.

PASS does, however, respectfully recommend that Section (1)(e) of HRS Section 711-1101 Disorderly Conduct be deleted as it is unconstitutional. This section criminalizes the extreme poor from unintentionally being an “impediment” or “obstruction” in the act of asking for help or alms. This definition is unfair and overly broad.

The application of laws that 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. Though this bill may

not intentionally seek to allow for constitutional violations of this nature, its application will lead and has already resulted in such with current laws similar to this which have already taken effect.

These measures seeking to directly or indirectly criminalize the houseless do not succeed in increasing public safety and only succeed in wasting taxpayer dollars and clogging up our already overloaded criminal justice system. We must enact measures that have been proven to work and we must support current legislation seeking to provide affordable housing and funding for services. Let's now focus on the empirical argument for the fiscal irresponsibility of HB2409.

I present examples that have been implemented in other U.S. municipalities and provide a statistical picture of the unsheltered houseless population on O'ahu.

Houselessness in other U.S. municipalities

Costly measures to incarcerate and fine houseless individuals:

- **Issuing citations to houseless persons is expensive.** San Francisco spent \$9.8 million between 2004 and 2008 on over 56,000 "quality of life" citations.
- **Incarcerating houseless people costs twice as much as providing them permanent housing.** In Cleveland, incarceration costs \$65 per day, versus \$30 per day for shelter. Seattle's "Housing First" program indicated that provided permanent housing for houseless people was 53% less expensive than having them live on the street. This marginal cost saving increased over time as program participants became financially stable and independent.
- **Issuing citations does not prevent houselessness.** Minneapolis spent an estimated \$2.6 million between 1994 and 2005 issuing citations and incarcerating 33 chronically houseless individuals, with minimal desired results.
- **It may in fact make people more likely to remain houseless.** Indianapolis spends \$3 to \$7 million annually on its population of 500 houseless individuals (similar in size to Honolulu's unsheltered houseless population estimate of 505 in 2013). The Indianapolis study notably linked contact with law enforcement with longer periods of houselessness and higher costs associated with healthcare.

Measures that have succeeded in other municipalities:

- **Seattle's** programs to place the chronically houseless into permanent housing cost \$1.1 annually and saved a total of \$2.5 million per year (\$2,400 per person), which was previously spent on medical expenses, bookings, and shelter.

- **Portland's** "A Key not a Card" initiative placed 936 houseless people into permanent housing between 2005 and 2009 at a cost of \$1.9 million per year.
- A **Palo Alto, Calif.** program created kits that other municipalities could purchase to establish their own employment and housing support services for houseless individuals. **Daytona Beach, Fla.** has recently implemented its kit with success.

Houseless population on O'ahu

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.

This issue of "sidewalks" begs a compassionate response since its real target is the increase in houseless persons. It behooves this committee to defer HB2409 in consideration of the several measures on Housing and the Homeless currently moving through the legislative process that more appropriately and effectively address this concern.

Sincerely,

Kathryn Xian
Executive Director

Hawaii Guerrilla Video Hui

H. Doug Matsuoka

PO Box 22046 / Honolulu HI 96823

16 March 2014

Re: Testimony OPPOSING HB2409 RELATING TO DISORDERLY CONDUCT

Dear Chair Hee, Vice Chair Shimabukuro, and the Committee,

Over the past two plus years, Hawaii Guerrilla Video Hui and associated videographers have documented many of the raids on the homeless. It is a simple fact widely known that the homeless are routinely deprived of the fundamental civil rights that were drafted and enacted to protect all of us. I personally spend much time opposing legislation criminalizing the poor and homeless at the county and state level.

When I oppose proposed legislation, I read the bill carefully and try to make reasonable arguments supported by facts and available data. The increasing rate of public homelessness has sparked increasing legislation against the homeless and I find these measures targeting nonviolent and vulnerable populations disheartening and offensive.

HB2409 goes beyond being disheartening and offensive and goes straight to being insulting and disgusting. What are we to say about a bill that imputes criminal intent to the most vulnerable members of the public who must seek shelter within a public "shelter"? It imposes a \$50 penalty to those who can't find any other shelter and those fines will mount until the justice system must put subject homeless person in the prison system. Like other bills targeting the homeless, it will require selective enforcement to implement subjecting the police to potential liabilities stemming from violation of constitutional rights, namely 5th Amendment rights to due process, and 14th Amendment protections from selective enforcement.

The most important thing to note is that although many have assumed this bill targets those sleeping at bus stops, note that it criminalizes and penalizes one who "Lies down at a bus stop shelter..." Is it necessary to point out that Article IX Section 10 of the Hawaii State Constitution incorporates the Kanawai Mamalahoe of King Kamehameha I? **"Let every elderly person, woman and child lie by the roadside in safety--shall be a unique and living symbol of the State's concern for public safety."**

Shall HB2409 be the living symbol of the State's disregard for its own constitution?

I urge you to do more than simply stop this bill, I sincerely and respectfully ask you to condemn it. Creating public policy to remedy the complex problems of homeless may be exceedingly difficult, but drafting and introducing as flawed a measure as HB2409 in full awareness of the public time and resources required to review and hear the bill during legislative session is itself criminal.

Me ka ha'aha'a,

H. Doug Matsuoka
Makiki, Honolulu

To the Committee on Judiciary and Labor:

I urge the senators to oppose the passage of bill HB 2409. I am a graduate student at the University of Hawaii at Manoa, and have been conducting in depth research on homelessness since 2009. Subsections 1(e) and 1(f) of the proposed bill will disproportionately affect the homeless members of our community in a negative way, and create an unnecessary burden on taxpayers and the state.

As an anthropologist, perhaps the best testimony I can give you is to put a face to the kinds of people that you are making criminals by passing this bill. One of the first friends I met in Hawaii was a homeless woman in her seventies named Mimi who lived at the bus stop nearest my house. I often asked her if I could help her get into the shelter I was working with, or bring one of the medical professionals I knew who have expertise in treating homeless patients to attend to her health needs. She refused, and initially I was puzzled. Over time, however, it became clear why she had come to distrust “the system”. Mimi was repeatedly assaulted, robbed, and raped at the bus stop. Her pleas for help were never answered. Instead, police forced her to leave the bus stop about once a month, and often “misplaced” her belongings when they relocated her. As I began to delve deeper into my research, it became clear that this kind of harassment by the police was a routine practice. This goes a long way to explaining why many homeless people refuse help. Now, you are attempting to codify this practice into law.

It is a safe assumption that someone staying at a bus stop is not doing so with the intent of being disorderly, but because she has nowhere else to go. If she had \$50, you can also assume that she would find a room for the night. Instead, you are fining her for her lack of resources, for the amount that she would have spent on a room if she had it. The logic here is perplexing. The burden of enforcing this legislation will fall onto the taxpayers; you will not get your \$50 fine from someone who has nothing. We should be assisting people who have no resources and consequently no choices, not criminalizing them. The practices of the past, which are now being codified into law, have created a deep mistrust of any form of official state intervention within the homeless. We must swiftly change our tack, and build a sense of trust if we are to actually alleviate the numerous problems associated with visible urban poverty.

The testimony of the Public Defender has already made it clear that this bill will not be enforceable, and that it obviously attempts to criminalize homelessness. Rather than creating further problems for the state, you should be working to find solutions that lift people up from living at bus stops, not drive them further into debt.

The central problem, however, is a moral one that falls squarely upon your shoulders, as our elected lawmakers. All of the other behaviors criminalized as “disorderly conduct” are active behaviors that are meant to cause or incite violence or disorder. Lying down is a passive act, a source of rest for the weary, not an attempt to inflict harm or disrupt order. Lying down at a bus stop is the result of a lack of alternative choice. To criminalize this passive act is to turn your back on the needs of the most vulnerable members of your constituency. In terms of numbers, people living at bus stops represent a negligible percentage of your electorate. It is feasible that you will continue in your careers by making them criminals. You may even be lauded for “cleaning up” the state. But, as elected lawmakers in the world's wealthiest democracy, it is incumbent upon you to safeguard the welfare of the most vulnerable in your state. You should be fighting a war on poverty, but you are fighting a war against the poor.

Thank you for hearing my testimony.

Sincerely,

Aashish Hemrajani

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: mauibrad@hotmail.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Friday, March 14, 2014 5:22:33 PM

HB2409

Submitted on: 3/14/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Parsons	Individual	Oppose	No

Comments: Don't you Senators have better things to be doing?

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: neswmusic@yahoo.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Saturday, March 15, 2014 10:33:50 AM

HB2409

Submitted on: 3/15/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

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

Comments: In Adam Smith's 'Wealth Of Nations', he offers up his own cockamamie theory as to why poverty is unavoidable in society, (even though we more than enough resources to provide for every single person on Earth). "Every species of animals naturally multiplies in proportion to the means of their subsistence, and no species can ever multiply beyond it. But in civilized society it is only among the inferior ranks of people that the scantiness of subsistence can set limits to the further multiplication of the human species; and it can do so in no other way than by destroying a great part of the children which their fruitful marriages produce." Are we gonna continue to fulfill Smith's prophecy? Or are we gonna do the right thing and take responsibility for each others well being? As Representatives of the people, you have the authority to directly vote on such an issue. Choose wisely..

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: lynneronderko@gmail.com
Subject: *Submitted testimony for HB2409 on Mar 19, 2014 10:00AM*
Date: Saturday, March 15, 2014 10:56:58 AM

HB2409

Submitted on: 3/15/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Onderko	Individual	Oppose	No

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: foodsovereignty@gmail.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Saturday, March 15, 2014 12:50:51 PM

HB2409

Submitted on: 3/15/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Mitsuko Hayakawa	Individual	Oppose	No

Comments: This Bill could potentially criminalize somebody who is feeling ill or simply down on his luck. Do you want to pass laws that PROTECT citizens or criminalize them?

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: davidsher@juno.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Saturday, March 15, 2014 3:06:40 PM

HB2409

Submitted on: 3/15/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

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

Comments: As both a voter and a bus rider, I am submitting my opposition to this bill. Hawaii needs a compassionate and effective way to solve problems of poverty, including homelessness. Clearly this bill targets homeless people who have already been chased around the island and pretty much have no where left to go. It's as if simply banning them from various places will make them just disappear. Until we take an honest look at the causes of homelessness and address those issues with real solutions, the tragedy of homelessness will continue. While I'm relieved that Rep. Brower has put down his hammer, criminalization policies are not only wrong, they waste taxpayer dollars. Let's put our efforts and dollars toward real solutions such as housing-first programs. It's worked in other cities and it can work here too.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: sherrianwitt@aol.com
Subject: *Submitted testimony for HB2409 on Mar 19, 2014 10:00AM*
Date: Saturday, March 15, 2014 5:55:19 PM

HB2409

Submitted on: 3/15/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
sherrian witt	Individual	Oppose	No

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: shannonkona@gmail.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Saturday, March 15, 2014 9:13:32 PM

HB2409

Submitted on: 3/15/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

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

Comments: Oppose. Shameful how we treat homeless people. Look to Utah's model and save money! It's not rocket science.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: KMurray.testimony@gmail.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Sunday, March 16, 2014 6:23:48 AM

HB2409

Submitted on: 3/16/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Karen Murray	Individual	Oppose	No

Comments: The fact that there are highly paid individuals taking home pay crowing at having placed one formerly homeless individual at the play "Houseless in Paradise" is telling of where crime is taking place. Windowdressing while others are criminalized for having no safer place to sleep than at a bus stop is a worse offense. Perhaps we need to redefine other things, like job description/effectiveness, maybe starting with housing directors.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: lynnehi@aol.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Sunday, March 16, 2014 12:01:56 PM

HB2409

Submitted on: 3/16/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments: My basic modes of transportation are feet, i.e., pedestrian, or TheBus. Too often I have encountered persons lying down at the bus stop, preventing bus riders who wish to or need to sit down, from doing so and forcing them to stand up. I have witnessed bus riders challenging those who are lying down, telling them they need to sit and they better get up, that they cannot hog the entire bench. Where three or four should be able to sit, only one person hogs the entire space. Surprisingly, to my knowledge no one has been hurt during this altercations. Recently I witnessed a man lying down on a bus stop, peeing, with his bubbly urine flowing from the front of his pants down the bench slats onto the sidewalk, and from there slowly making its way into the street. Not only was he talking up seats bus riders could have used when waiting for the bus, but he was creating a health hazard. Behavior of this type should not be tolerated and needs to stop. Please pass this bill. lynne matusow, 60 N. beretania, #1804, honolulu, hi 96817 531-4260

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: jlee16@gmail.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Sunday, March 16, 2014 3:01:18 PM

HB2409

Submitted on: 3/16/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Jenny Lee	Individual	Oppose	No

Comments: Please vote in opposition to HB 2409. The proposed legislation is ultimately unfair toward individuals who are struggling while living unsheltered. It is painfully apparent that this legislation targets people experiencing homelessness. As a personal example, I am able to afford housing and therefore get to sleep every night in my own home. I also am able to maintain employment and take the bus daily to work. If I were to fall asleep at the bus stop, I imagine I would be extremely unlikely to face any penalty on that basis alone, even if I were using the entire bench. Criminalization of activities that deliberately target people experiencing homelessness does nothing to end homelessness and only results in fines that these individuals cannot afford to pay. I respectfully urge the committee to vote no on HB 2409. Thank you.

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: mh@interpac.net
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Sunday, March 16, 2014 7:04:16 PM

HB2409

Submitted on: 3/16/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Cory Harden	Individual	Comments Only	No

Comments: Aloha legislators, Please work to ensure that people have a place to sleep other than bus shelters. Don't just criminalize homelessness. mahalo, Cory Harden

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Senator Clayton Hee - Chairman
Senate District 23
Hawaii State Capitol, Room 407
Honolulu, Hawaii

Reference: HB 33
HB 1498
HB 1660
HB 2409

Dear Senator Hee,

It has come to my attention that these reference bills are of a constitutional nature. As a tax payer for 49 years I am wondering what are my constitutional rights regarding these bills. As I understand, these bills go on constitutional rights for the homeless; however, I think this is wrong. All of these people, which I can testify to have either have been thrown out of their homes, messed up by substance abuse or have chosen this lifestyle.

You folks talk about constitutional rights for the homeless, where is my constitutional rights as a tax payer versus homelessness. These people do not contribute to the State in any way, shape or form!!!! So, therefore I am wondering do we have a double edge sword here???? The way I am thinking I am a voter and a tax payer _____ how rude! I am being dealt in this manner, when our constitution says, "FOR THE PEOPLE AND BY THE PEOPLE"?

Sincerely,

A handwritten signature in black ink, appearing to read "L. Ditchen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

L. Ditchen

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: babyjean@hotmail.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Monday, March 17, 2014 11:08:03 PM

HB2409

Submitted on: 3/17/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Ronnie Perry	Individual	Oppose	No

Comments: I strongly OPPOSE this bill. These bill treat the symptoms and not the problem. We need to have constructive and positive ways to deal with homelessness. I do not see how fining a person that has no where to live going to do any good and not to mention it could ruin their credit and possibly put them in jail. I do not support that. This will make the problem worst. PLEASE OPPOSE THIS BILL
Mahalo, Ronnie Perry

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc: paulakomarajr@yahoo.com
Subject: Submitted testimony for HB2409 on Mar 19, 2014 10:00AM
Date: Tuesday, March 18, 2014 9:28:48 AM

HB2409

Submitted on: 3/18/2014

Testimony for JDL on Mar 19, 2014 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Paul A. komara, Jr.	Individual	Oppose	No

Comments: This Bill HB2409 is another attempt to dishonor our brothers and sisters who are homeless. Provide camping for them in our parks. Please, no more fines. They cannot pay them and the police resources are needed for crimes against the public. Have mercy on the homeless. Aloha, Paul

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov