

Honolulu, Hawaii

FEB 06 2015

RE: S.B. No. 269  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Human Services and Housing, to which was referred S.B. No. 269 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish the process and grounds for a person to petition the court to vacate a conviction for obstructing a public place on grounds that the person was homeless at the time of committing the offense.

Your Committee received testimony in support of this measure from the GLBT Caucus of the Democratic Party of Hawaii; Hawaii Youth Services Network; Honolulu Pride; IMUAlliance; Pacific Alliance to Stop Slavery; Rainbow Family 808; Amnesty International, Honolulu Chapter; National Association of Social Workers, Hawaii Chapter; and eighteen individuals.

Your Committee finds that many homeless individuals and families are having their possessions, including important identification materials and medication, confiscated by police officers and do not have a means to pay the fine in order to claim their belongings. Furthermore, a criminal record creates barriers for homeless persons in obtaining employment, housing, or other opportunities.

Your Committee has amended this measure by:



- (1) Specifying that any person convicted of any state or county law relating to occupying a public place may also petition the court on the grounds that the person was homeless at the time of committing the offense; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 269, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 269, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services and  
Housing,

  
SUZANNE CHUN OAKLAND, Chair



