



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2015**

ON THE FOLLOWING MEASURE:

H.B. NO. 767, H.D. 2, RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

BEFORE THE:

SENATE COMMITTEE ON HUMAN SERVICES AND HOUSING

DATE: Tuesday, March 17, 2015 **TIME:** 1:20 p.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Douglas S. Chin, Attorney General, or
Lance M. Goto, Deputy Attorney General.

Chair Chun Oakland and Members of the Committee:

The Department of the Attorney General (the Department) supports this bill with minor amendments.

The purpose of this bill is to strengthen the offense of criminal trespass in the second degree as it applies to conduct at Hawaii Public Housing Authority (HPHA) housing projects. The bill provides that all HPHA housing projects are closed to the public. It amends the offense of criminal trespass in the second degree to permit the prosecution of any unauthorized entry into any closed HPHA project property or any violation of a written prohibition to enter such property.

The Department recommends several amendments. On page 1, line 16, the Department suggests making "purpose" plural, so that the phrase reads, "For the purposes of this section:"

On page 9, lines 3-4, the phrase, "as defined in subsection (2)," should be deleted. There is no subsection (2) with such a definition.

On page 10, line 1, the Department suggests that the phrase, "As used in this paragraph:" be replaced with "For purposes of this paragraph:" to be consistent with similar references in subsection (1)(b) and (d) of section 708-814, Hawaii Revised Statutes.

On page 13, lines 9-11, the Department recommends requiring not just the signature of a witness or police officer who was present when the warning was given, but also the name of that person, so that the person can later be identified. Signatures are not always legible.

Finally, on page 13, line 12, subsection (3) should be renumbered to subsection (2), as the current subsection (2) is being repealed on page 9 of the bill.

The Department respectfully requests that this bill be passed with the proposed amendments.