



SB 269

Measure Title:	RELATING TO PUBLIC ORDER.
Report Title:	Homeless; Obstruction of Public Places; Vacate Conviction
Description:	Establishes 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.
Companion:	
Package:	None
Current Referral:	HSH, JDL
Introducer(s):	CHUN OAKLAND (Introduced by request of another party)

**GAY LESBIAN
BISEXUAL AND
TRANSGENDER
CAUCUS**



**DEMOCRATIC
PARTY OF
HAWAII**

January 29, 2015

Senate's Committee on Human Services and Housing
Hawaii State Capitol
415 South Beretania Street, Room 229
Honolulu, HI 96813

Hearing: Saturday, January 31, 2015 – 1:15 p.m.

RE: STRONG SUPPORT for Senate Bill 269 – RELATING TO PUBLIC ORDER

Aloha Chairperson Chun Oakland, Vice Chair Green and fellow committee members,

Mahalo for the opportunity to testify in strong support of Senate Bill 269 on behalf of the Gay, Lesbian, Bisexual, Transgender Caucus of the Democratic Party of Hawaii's (GLBT Caucus) over 1,000 members and supporters. The GLBT Caucus is Hawaii's oldest and only caucus dedicated to ensuring justice and equality for Hawaii's LGBT community.

Senate Bill 269 would give the most vulnerable in our society a way of keeping their criminal record clear so that they will not have their this as a barrier to be able to succeed.

Every study points to the fact that 40% of the homeless youth on their own identify as Lesbian, Gay, Bisexual and/or Transgender. Keep in mind that the LGBT community accounts for about 10% of the population. You add that to these facts:

- Hawaii State Law does not allow for a shelter to take in a person that is under the age of 18 that is not accompanied by their parent or guardian.
- For those over 18 years of age shelters for single people, like the one run by IHS are unsafe.
- Homeless youth become homeless adults.

So the homeless youth have NO WHERE else to go but to the streets and sidewalks of the Aloha State. Now you add in the new laws banning sitting or lying on the sidewalks and streets and the youth have only one place to go and that is to jail and a criminal record.

We hope you can see how imperative this bill is to fix the unjust laws facing Hawaii's houseless.

So for all these reasons we ask that you support and pass Senate Bill 269.

Mahalo nui loa,

Michael Golojuch, Jr.
GLBT Caucus Chair and
Male Rep. to the State Central Committee of the Democratic Party of Hawaii

HAWAII YOUTH SERVICES NETWORK

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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 Mohala Behavioral Health
KEY (Kualoa-Heeia Ecumenical Youth)
Project
Kids Hurt Too
Kokua Kalihi 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

January 28, 2015

To: Senator Suzanne Chun Oakland
And members of the Committee on Human Services

Testimony on SB 269 Relating to Public Order

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving agencies, supports the intent of SB 269 Relating to Public Order.

HYSN is concerned about the impact of recently passed laws regarding use of sidewalks on runaway and homeless youth as well as homeless adults and families on Oahu. Each year, youth outreach workers encounter more than 800 unaccompanied homeless youth (not living with their families) ages 12 – 21 on the streets of Oahu, the bulk of them in the Waikiki area.

We support the idea of vacating convictions for sitting or lying on the sidewalk or storing belongings there. A criminal record creates barriers for young people in obtaining employment, housing, or college financial aid. Homeless youth face enough challenges in getting off the streets without adding involvement with the criminal justice system to their issues.

HYSN is concerned however, that this bill does not address some of the more immediate consequences of enforcement of the sidewalk laws. We have had reports from outreach workers about overzealous enforcement that has resulted in some youth losing identification and essential medications.

Outreach workers have reported that when police encounter these youth sitting on a Waikiki sidewalk, they enforce the sit/lie sidewalk ordinance and require the youth to leave the area. If the homeless youth's backpack or other possessions are on the sidewalk next to them and the youth is not physically holding them at the time the police officer approaches, they are told not to touch it and their possessions are confiscated. Homeless youth do not have the resources to pay the \$200 fine in order to claim their belongings.

The Honolulu Police Department has informed us that their practice is to photograph and inventory the possessions and then return identification and medications to the individual. Runaway and homeless youth are afraid of involvement with law enforcement and may not wait while the police complete the inventory. They do not understand that they may be able to reclaim the ID and medicines, and think that they will be arrested if they do not leave the area immediately.

Losing identification makes it difficult to help these youth enroll in school or obtain employment. Losing essential medication for conditions such as diabetes or epilepsy could be life threatening.

HYSN encourages the Hawaii Legislature to address these concerns.

Thank you for this opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Judith F. Clark". The signature is written in a cursive style with a large initial 'J' and a long, sweeping underline.

Judith F. Clark
Executive Director

From: mailinglist@capitol.hawaii.gov
To: [HSH Testimony](#)
Cc: honoluluprideparade@gmail.com
Subject: *Submitted testimony for SB269 on Jan 31, 2015 13:15PM*
Date: Thursday, January 29, 2015 8:51:10 PM

SB269

Submitted on: 1/29/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Rob Hatch	Honolulu Pride	Support	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.

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

TESTIMONY FOR SENATE BILL 269, RELATING TO PUBLIC ORDER

Senate Committee on Human Services and Housing
Hon. Suzanne Chun Oakland, Chair
Hon. Josh Gren, Vice Chair

Saturday, January 31, 2014, 1:15 PM
State Capitol, Conference Room 229

Honorable Chair Chun Oakland and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 300 local members. On behalf of our members, we offer this testimony in support of SB 269, relating to public order.

Over the past three years, Honolulu Mayor Kirk Caldwell and the Honolulu City Council have enacted several ordinances aimed at “compassionately disrupting” homelessness on O’ahu. The most prominent of these ordinances are recently enacted sit-lie bans, which were originally implemented in high commerce areas like Waikiki, but have been expanded to commercial properties located in all regions of O’ahu, including windward and leeward towns and, most recently, malls bordered by businesses. Additionally “obstruction” ordinances target property stored on sidewalks and houseless persons remaining in parks after operating hours.

City officials erroneously argue that these measures are intended to preserve the legitimate, largely pedestrian, use of public space necessary for commercial and recreational conduct. If people can't walk down the sidewalk, city leaders contend, local entrepreneurs will not be able to receive customers and pedestrians will not be able to safely enjoy the unique cultural experience of our island home.

We believe these arguments are false for three reasons. First, the city ordinances amount to an unconstitutional criminalization of the homeless. Councilmembers have stated that the new laws do not specifically target the homeless, but rather anyone engaging in obstructive activity. Many judges and legal experts around the country have repeatedly argued that these laws are selectively enforced against the homeless in the form of unannounced property raids, which constitute an unconstitutional violation of the Fourth Amendment's search and seizure protections. For clarity, the Fourteenth Amendment provides that:

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

Again for clarity, the terms “search” and “seizure” were concisely summarized in the majority opinion to *United States v. Jacobsen*, 466 U.S. 109 (1984), which declared that Fourth Amendment, “protects two types of expectations, one involving 'searches', the other 'seizures'. A *search* occurs when an expectation of privacy that society is prepared to consider reasonable is infringed. A *seizure* of property occurs where there is some meaningful interference with an individual's possessory interests in that property.” According to these understandings, When law enforcement, without notice, raid a homeless encampment and usurp—and often destroy—homeless people's belongings, including basic government documents and identification, the city is infringing homeless people's civil rights.

Second, these ordinances, and sit-lie bans in particular, are ineffective, serving neither to increase local economic activity or improve services to the homeless. Instead, these ordinances place a significant cost upon local taxpayers. Every raid on a homeless encampment costs the City and County of Honolulu approximately \$15,000, according to Mayor Caldwell, and similarly burdensome expenses are borne by the storage and destruction of confiscated property and potential arrest, prosecution, and incarceration of violators. A 2012 report from the University of Berkeley School of Law's Policy Advocacy Clinic found that empirical claims about the economic benefits of nuisance ordinances that disproportionately target the homeless are “neither proven nor promising” and suggested, instead, that supportive housing strategies, such as Housing First initiatives, would better accomplish municipal goals of reducing homelessness, cutting crime rates, and boosting fiscal growth.

Third, the aforementioned city laws do not and cannot incentivize housing, unless an adequate supply of shelter space and affordable housing is available. Currently, Hawai'i has an adequate supply of neither. According to a 2011 planning study, up to 50,000 new housing units will need to be built by 2016 to satisfy demographic and economic demand. Failure to produce sufficient units for low- and moderate-income households at a time when the overall economy continues to stutter and consumer prices escalate could place more people on the streets. Shelter space, too, exceeds the total number of homeless people in the islands. In Honolulu alone, the Institute for Human Services emergency shelter houses 390 people, with Next Step Shelter housing another 220 individuals. Yet, in the 2014 State of Homelessness in America report, Hawai'i ranked highest among in the nation for homeless people per capita. A 2014 state-sponsored point-in-time tally found there were more than 4,700 homeless in Honolulu and another 2,200 on the neighboring islands, totals that likely underreport reality given the reluctance of large numbers of homeless to participate in government studies.

Criminalization will not cure homelessness. Only housing will. Our efforts to end poverty for our state's most vulnerable citizens should be spent toward increasing the supply of shelter

space and truly affordable housing, including micro-housing and Housing First operations, available to those in need. If the aforementioned nuisance laws are not intentionally designed to target the homeless, as city leaders maintain, we submit that there should be no argument against passing this bill to vacate nuisance convictions that resulted from homelessness and, essentially, could not be helped, but have the unintended consequence of turning Hawai'i's homeless into a suspect class whose civil rights are routinely violated. Criminal convictions often morph into discrimination, creating a legal trail that impairs a person's ability to obtain housing, employment, higher education, and more. As the National Coalition for the Homeless wrote in 2014, as many as 70 percent of homeless people are already subject to “economic profiling,” a form of discrimination in which law enforcement, private business, medical, and even social programs deny services because of real or perceived houselessness.

That said, we encourage you to **amend the beginning of page 1, line 9 of this bill to read “obstructing or occupying a public place,”** thus ensuring that the measure applies to all obstruction violations, including park usage restrictions that prevent Hawai'i's vulnerable thousands from escaping the very streets to which they and their property have also been banned.

We must ask ourselves: are poor people in need of a jail cell or a helping hand? We hope you choose the latter. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance



January 27, 2015

COMMITTEE ON HUMAN SERVICES & HOUSING

Sen. Suzanne Chun-Oakland, Chair

Sen. Josh Green, Vice Chair

Sen. Breene Harimoto

Sen. Gil Riviere

Sen. Sam Slom

NOTICE OF HEARING

DATE: Saturday, January 31, 2015

TIME: 1:15 p.m.

PLACE: Conference Room 229

State Capitol

415 South Beretania Street

**RE: TESTIMONY IN STRONG SUPPORT OF SB269
RELATING TO PUBLIC ORDER**

Establishes 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.

Dear Committee on Human Services & Housing:

The Pacific Alliance to Stop Slavery (PASS) strongly supports SB269. PASS has been helping the houseless population in Kakaako for the past year. We attest that the existing laws that are utilized to “sweep” the sidewalks and parks of homeless persons are extremely harmful to this vulnerable community.

These laws criminalizing the poverty make it exponentially difficult for social services to maintain contact with the houseless to direct them toward permanent housing. These City-run sweeps or “raids” on homeless encampments also result in:

- 1) many houseless persons losing their jobs since they must miss work to tend to their belongings during raids;
- 2) confiscation and unconstitutional disposal of identification and important documents such as social security cards, birth certificates, and marriage licenses, all of which are documents needed to obtain and maintain benefits, housing, housing first, employment and medication for serious medical conditions; and
- 3) relegating the victims of these raids to prolonged poverty since these raids are responsible for the confiscation of all property belonging to the houseless person involved.

This is no way to effectively handle homelessness and even makes the problem worse.

Problematic Criminalization Policies Implemented in Other U.S. Cities¹

Costly measures to incarcerate and fine homeless individuals:

- **Issuing citations to homeless persons is expensive.** San Francisco spent \$9.8 million between 2004 and 2008 on over 56,000 “quality of life” citations.
- **Incarcerating homeless 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 homeless 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 homelessness.** Minneapolis spent an estimated \$2.6 million between 1994 and 2005 issuing citations and incarcerating 33 chronically homeless individuals, with minimal desired results.
- **It may in fact make people more likely to remain homeless.** Indianapolis spends \$3 to \$7 million annually on its population of 500 homeless individuals (similar in size to Honolulu’s unsheltered homeless population estimate of 505 in 2013). The Indianapolis study notably linked contact with law enforcement with longer periods of homelessness and higher costs associated with healthcare.

Policies Proved to be Effective in Other U.S. Cities²

- **Seattle’s** programs to place the chronically homeless 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 homeless 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 homeless individuals. **Daytona Beach, Fla.** has recently implemented its kit with success.

Serious Concerns of Criminalization of Non-Violent Offenses

We enumerate some facts to consider with regard to criminalization and erosion of rights for the Homeless:

1) **PRISON OVERCROWDING/INCARCERATION OF NONVIOLENT OFFENDERS**

Established ordinances and laws that criminalize the homeless 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, our Correctional Facilities would be incentivized to transport other inmates

¹ The National Law Center on Homelessness & Poverty and The National Coalition for the Homeless (July 2009)

² Ibid.

who have committed felonies, into the Federal Detention Center (FDC) or to mainland prisons, all at the taxpayers' expense. Many inmates have been abused and traumatized by their out-of-state transfer.

- 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)³.
- 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.
- iii. Governor Abercrombie has publicly stated that he is committed to returning Hawaii’s inmates back to Hawaii⁴. These proposed laws would complicate this commitment, should our prison system be burdened with the incarceration of more non-violent offenders, which these policies propose.

2) WASTE OF TAXPAYER DOLLARS

Criminalizing the homeless 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 homeless 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>

Civilbeat.com stated that the City spends \$15,000 each time it “sweeps” the streets of homeless persons, and the Mayor has publicly stated that he has increased the number of sweeps to 3 times a week. <http://www.civilbeat.com/2014/06/nightly-migration-homeless-chased-from-waikiki-for-a-few-hours/> and <http://www.kitv.com/news/hawaii/city-plans-on-homeless-sweeps-3-times-a-week/-/8905354/23876950/-/guhguxz/-/index.html>

3) DEHUMANIZATION

Criminalization of the homeless 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 Nuremberg Laws of Nazi Germany. In present day Hawaii, we have seen several violent beatings, and even murder of homeless persons in the recent past, coming on the heels of well publicized laws and

³ 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/cpja/files/2013/01/AH-UH-Mainland-Prison-Study-2011.pdf>

⁴ Reyes, B.J. (2010) *Abercrombie pledges isle inmates' return. A suit against an Arizona prison spurs the move.* http://www.staradvertiser.com/news/20101216_Abercrombie_pledges_isle_inmates_return.html?id=111986729

ordinances criminalizing the homeless. <http://www.examiner.com/article/third-homeless-man-murdered-on-oahu-6-weeks>

4) **A HUMAN RIGHTS VIOLATION**

Criminalizing the homeless 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/>

5) **CRIMINALIZATION OF HOMELESS/RUNAWAY CHILDREN**

A particularly vulnerable population, within the overall homeless community, are juveniles at high risk for human trafficking. These children deserve basic rights, services, and care, not criminalization. Hawaii exceeds the national average in its rate of the incarceration of nonviolent juveniles for status offenses, with roughly 30% incarcerated for runaway offenses and another 20% for truancies. Further criminalization for being a homeless youth would only worsen and already serious existing problem facing Hawaii's Juvenile Justice System⁵.

We must enable the houseless with the right to live free to selective enforcement. PASS kindly and respectfully urges you to pass SB269, to enable the houseless who have been criminalized, fined, and incarcerated for these unjust laws, to have a fighting chance to leave homelessness with a clean record from these unnecessary petty crimes of poverty.

Sincerely,

Kathryn Xian
Executive Director
Pacific Alliance to Stop Slavery

⁵ Umemoto, K.; Spencer, J.; Miao, T.; Momen, S.. (June, 2012) Disproportionate Minority Contact 2000-2010. State of Hawaii, Crime Prevention and Justice Assistance Division. Retrieved on April 24th 2013, from: <http://ag.hawaii.gov/cpja/files/2013/01/DMC-FINAL-REPORT-2012.pdf>



95-954 Makakilo Dr. #71 Kapolei, HI 96707 Email: Rainbowfamily808@gmail.com Phone: 808-779-9078 Fax: 808672-6347

January 29, 2015

Senate Committee on Human Services and Housing

RE: SB 269 Public Order

IN STRONG SUPPORT

Aloha Chair, Vice Chair and Members,

As President of Rainbow Family 808, a group of straight, LGBT families focused on peace and justice through education, we strongly support SB 269 in order to bring our state up to the 21st Century where citizens are once again treated with respect and dignity regardless of their economic status. The current phase across the nation is to penalize and criminalize those who have lost their homes due to hardships. It is a travesty that minors are also treated like adults when they should be loved, cared for and nourishing in their homes.

In 2014, Rainbow Family donated over \$6,000.00 for backpacks, personal care products, clothes, dairy products, fruit and vegetables for minors being helped by YO Waikiki (Youth Outreach) to help sustain them after their families throw them out of the family home and into the streets. Some are running away from abusive homes, druggie parents and worst. We work hard for donations to help these minors only to have them arrested and those backpacks destroyed. What have we become that we devalue our children?

If you have to arrest and punish anyone in this horrid, vile system, then arrest the parents who sleep comfortably in their warm beds with a refrigerator full of food and shelter from the wind and rain while these minors are at risk and need shelter. Many of these minors haven't given up hope and are trying to stay in school.

Homeless youth deserve our help not our condemnation. Rainbow Family 808 **STRONGLY SUPPORTS** SB 269 in a speedy and just manor.

Mahalo nui loa

Carolyn Martinez Golojuch, MSW - President

January 29, 2015

COMMITTEE ON HUMAN SERVICES & HOUSING

Sen. Suzanne Chun-Oakland, Chair
Sen. Josh Green, Vice Chair
Sen. Breene Harimoto
Sen. Gil Riviere
Sen. Sam Slom

NOTICE OF HEARING

DATE: Saturday, January 31, 2015
TIME: 1:15 p.m.
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

**RE: TESTIMONY IN STRONG SUPPORT OF SB269
RELATING TO PUBLIC ORDER**

Establishes 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.

Dear Committee on Human Services & Housing:

I strongly support SB269 because I feel that houseless people that have been arrested, fined or jailed as a result of the enforcement of unjust laws have a right to a clean record as they fight their way out of homelessness and begin to start new lives.

I have been working with a variety of nonprofit organizations assisting the houseless population in Honolulu, both individuals and families, particularly in the Kaka'ako area. The vicious cycle of poverty that these human beings are caught up in is heartbreaking and the way our government and we as a community are treating them is unconscionable.

The existing laws make it almost impossible for social service agencies, both government and nonprofit, to maintain contact with the homeless and provide them with the services that they need to exit homelessness. These would include employment services, medical services, SNAP benefits as well as the most important assistance of getting into a permanent housing situation.

We must work to reverse the harmful effects of both the sit and lie law as well as the City sponsored raids that do nothing but strip the people of what little they do have in the world and continues to add to the cycle of poverty and homelessness.

There are a multitude of additional challenges and stress that these “raids” put on our houseless population:

- 1) Many houseless persons losing their jobs since they must miss work to tend to their belongings during raids
- 2) Confiscation and unconstitutional disposal of identification and important documents such Social Security cards, birth certificates, and marriage licenses, all of which are documents needed to obtain and maintain benefits, housing, housing first, employment and medication for serious medical conditions
- 3) Relegating the victims of these raids to prolonged poverty since these raids are responsible for the confiscation of all property belonging to the houseless person involved.

We must stop dehumanizing our houseless population and realize that they are human beings, they are not going to disappear and we cannot make them invisible. They are here to stay, however they can be productive members of our community. It is a sad misnomer that homeless people choose to be homeless because they don’t want to work or don’t want to follow the rules. The fact is quite the opposite is true and most homeless citizens, especially families, do not “choose” to be homeless. They need a hand up, direction and assistance to get back on track.

Once we are able to assist these individuals and get them back into the workforce and back into a permanent housing situation we need to offer them a clean start. We need to offer them the opportunity to vacate the convictions they received for basically being homeless while they were homeless. Please vote yes on SB269 and give them the opportunity for a new start, a new life and a new home.

Sincerely ,

James Vivian Mateo

From: mailinglist@capitol.hawaii.gov
To: [HSH Testimony](#)
Cc: karateng@hawaii.edu
Subject: *Submitted testimony for SB269 on Jan 31, 2015 13:15PM*
Date: Wednesday, January 28, 2015 8:11:24 PM

SB269

Submitted on: 1/28/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Kara	Individual	Support	No

Comments:

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To whom it may concern,

I am a supporter of SB269.

I actively volunteer with families in Kaka'ako who are homeless and have no way to pay fines due to the police raids and inhumane sit-lie laws recently passed.

Many families and individuals have tried to apply to shelters and/or were living with relatives, but the shelters are full and have long wait-lists, many relatives can only offer temporary relief. As you know, public housing in Hawaii has a ~10,000 person backlog.

Please support this measure and protect the most vulnerable among us from unfair and unjust criminalization of poverty.

Thank you.

Sincerely,
Lani Kwon

Founder and CEO of The Creating CoPOWERment® Center LLC
and Creating YOUR Calling® LLC
lani@coPOWERment.com
<http://www.coPOWERment.com>

From: mailinglist@capitol.hawaii.gov
To: [HSH Testimony](#)
Cc: patriciablair@msn.com
Subject: Submitted testimony for SB269 on Jan 31, 2015 13:15PM
Date: Friday, January 30, 2015 5:24:22 AM

SB269

Submitted on: 1/30/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments: Do not criminalize homelessness. It is inhumane. Provide affordable housing.

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From: mailinglist@capitol.hawaii.gov
To: [HSH Testimony](#)
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB269 on Jan 31, 2015 13:15PM
Date: Thursday, January 29, 2015 10:02:37 PM

SB269

Submitted on: 1/29/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

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

Comments: Strongly support! Utah, the 'reddest state' in the country, has nearly solved their houseless situation by giving people homes - SAVING \$12,000 per person, per year. WHY can't we do this? We don't need to reinvent the wheel. I've read other places are saving up to \$21,000 per person in similar ways. WTH? Why are WE so mean? (as has been noted in national publications...)

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From: mailinglist@capitol.hawaii.gov
To: [HSH Testimony](#)
Cc: davidsher@juno.com
Subject: Submitted testimony for SB269 on Jan 31, 2015 13:15PM
Date: Friday, January 30, 2015 8:41:57 AM

SB269

Submitted on: 1/30/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

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

Comments: Dear Committee on Human Services and Housing I strongly support SB269 which establishes 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. This bill has become necessary as a result of a series of laws passed by the City Council which have targeted the houseless and have resulted in making it harder for homeless individuals to be able to exit out of poverty since they will now have a criminal record. If we truly believe in ending this cycle of poverty, we must stop putting up roadblocks that add to the immense challenges people living in poverty must already deal with. Please do the right thing and pass this bill. Mahalo for your consideration, Sherry Pollack Ahuimanu

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SB269

Submitted on: 1/28/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Pope-Young	Individual	Support	No

Criminalization of the homeless is 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-lawscriminalizing-homelessness/>

I strongly support SB269 which establishes a process to petition the court to vacate a conviction for obstructing a public place on grounds that the person was homeless at the time.

The Pacific Alliance to Stop Slavery (PASS) has been helping the houseless population in Kakaako for the past year and recently becoming aware of the deplorable situation, I have joined in to support these families with small children who live in tents there. The existing laws that are used to “sweep” the sidewalks and parks of homeless persons are extremely harmful to this vulnerable community.

These City-run sweeps or “raids” on families in homeless encampments cause:

- 1) Houseless persons losing their jobs as they miss work to tend to their belongings during raids;
- 2) Difficulty for social services providers to maintain contact with the houseless and to direct them toward permanent housing and medical services;
- 3) Confiscation and unconstitutional disposal of identification and important documents such as Social Security cards, birth certificates, and marriage licenses, all of which are documents needed to obtain and maintain benefits, housing, housing first, employment and medication for serious medical conditions;
- 4) Relegating the victims of these raids to prolonged poverty since raids are responsible for the confiscation of all property belonging to the houseless person involved.

Also within the overall homeless community are juveniles at high risk for human trafficking. These children deserve basic rights, services, and care, not criminalization.

Criminalization in no way resolves the homelessness issue but makes the problem even worse. Criminal convictions result in the inability to obtain employment, housing and necessary services.

Finally, criminalizing the homeless has proved massively ineffective in other places (San Francisco, Los Angeles, South Carolina, Massachusetts, Florida, etc.) as well as in Honolulu, 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 thing these policies do is make it even harder for homeless persons to exit out of poverty since they will then have an additional hardship: a criminal record see:

<http://www.kitv.com/news/hawaii/sidewalk-nuisance-law-has-done-little-to-clear-clutter/21507216>

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SB269

Submitted on: 1/29/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Tadia Rice	Individual	Support	No

Comments: I strongly support of SB269. This bill would help all houseless persons avoid selective enforcement and criminalization for being poor.

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SB269

Submitted on: 1/29/2015

Testimony for HSH on Jan 31, 2015 13:15PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

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