

SCR87

Measure Title: REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO DOCUMENT VIOLATIONS OF ITS PROHIBITION ON SMOKING IN AND AROUND PUBLIC HOUSING.

Report Title: Public Housing; Smoking; Violations

Description:

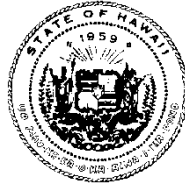
Companion:

Package: None

Current Referral: HOU, CPH

Introducer(s): CHUN OAKLAND, Baker, Espero, Keith-Agaran, Nishihara, Shimabukuro, Wakai

DAVID Y. IGE
GOVERNOR



HAKIM OUANSAFI
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
HAWAII PUBLIC HOUSING AUTHORITY
1002 NORTH SCHOOL STREET
Honolulu, Hawaii 96817

BARBARA E. ARASHIRO
EXECUTIVE ASSISTANT

Statement of
Hakim Ouansafi
Hawaii Public Housing Authority
Before the

SENATE COMMITTEE ON HOUSING

March 22, 2016 2:50 P.M.
Room 225, Hawaii State Capitol

In consideration of
SCR 87 / SR 58

**REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY TO DOCUMENT VIOLATIONS OF ITS
PROHIBITION ON SMOKING IN AND AROUND PUBLIC HOUSING**

Honorable Chair Harimoto and Members of the Senate Committee on Housing, thank you for the opportunity to provide comments regarding Senate Concurrent Resolution (SCR) 87 / Senate Resolution (SR) 58, requesting the Hawaii Public Housing Authority (HPHA) to document violations related to prohibited acts of smoking, and to permanently retain this documentation in a resident's record for the HPHA to consider when it evaluates whether to continue any existing lease agreement, and when the HPHA evaluates whether to form any future lease agreement with the resident.

The HPHA is pleased to report that our current practices are consistent with the proposed Resolutions and we welcome any efforts to improve the health and well-being of our tenants. Prior to the ban, the HPHA adopted administrative rules, and has since adopted lease addendums to administer the no smoking policy. Additionally, any violation of the lease, administrative rules or statute by a tenant is already documented by management, added to the tenant's file and may be used in a case for eviction. Although it is very difficult to administer this policy while tenants are inside their units and during afterhours and weekends while no staff is present, the HPHA has made great efforts and have documented multiple violations as follows:

| HPHA Asset Management Project (AMP) | Number of Violations Issued since October 2015 | Tracks Smoking Complaints from Tenants |
|--|---|---|
| 30 - Puuwai Momi | 15 | Yes |
| 31 - Kalihi Valley Homes | 4 | Yes |
| 32 / 33 - Mayor Wright Homes | 3 | Yes |
| 34 - Kalakaua Homes | 4 | Yes |
| 35 - Kalanihuia | 2 | Yes |
| 37 - East Hawaii | 0 | Yes |
| 38 - Kaua'i | 0 | Yes |
| 39 - Maui / Moloka'i | 0 | Yes |
| 40 - Kuhio Homes | 0 | Yes |
| 42 - Hale Po'ai | 1 | Yes |
| 43 - West Hawaii | 10 | Yes |
| 44 - Waimaha Sunflower | 0 | Yes |
| 45 - Ko'olau Village | 0 | No |
| 46 - North Hawaii | 1 | Yes |
| 49 - Kauhale Nani | 3 | Yes |
| 50 - Palolo Valley Homes | 0 | Yes |

The HPHA appreciates the opportunity to provide the Senate Committee on Housing with the HPHA's testimony regarding SCR 87/SR 58. We thank you very much for your dedicated support.

From: mailinglist@capitol.hawaii.gov
To: [HOU Testimony](#)
Cc: patriciablair@msn.com
Subject: *Submitted testimony for SCR87 on Mar 22, 2016 14:50PM*
Date: Saturday, March 19, 2016 2:10:19 PM

SCR87

Submitted on: 3/19/2016

Testimony for HOU on Mar 22, 2016 14:50PM in Conference Room 225

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------------|---------------------|---------------------------|---------------------------|
| Patricia Blair | Individual | 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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For Hearing Date: Tuesday, March 22, 2016, 2:50 p.m.

Place: Senate Conference Room 225

Testimony Submitted By: Daria A. Fand

Honolulu, Hawaii

To: Senate Committee on Housing

The Honorable Senator Breene Harimoto, Chair

The Honorable Senator Brickwood Galuteria, Vice Chair

Members of the Senate Committee on Housing

**Subject: SCR87/SR58; PUBLIC HOUSING; SMOKING;
VIOLATIONS**

Position: Strong Support, both measures

Honorable Committee Members:

I am appealing to you as a disabled public housing resident and community public health advocate, seeking your support in rectifying a troubling situation within Hawaii Public Housing Authority (HPHA), regarding their smoke-free policy.

When the smoke-free law for public housing was adopted in 2014, I celebrated and hoped for a chance for Hawaii's most vulnerable residents, myself included, to be protected in their right to clean and healthful air. Unfortunately, in the 2.5 years since that time, involuntary exposure to second and thirdhand smoke continues unabated, largely due to the way violations are handled by the HPHA administration.

It is true that enforcement is an ongoing challenge, since violators have found ways to hide their activity. However, HPHA has made the problem worse by fostering a climate where violations may be stricken from residents' records, which a resident may negotiate.

Given how difficult it is for a resident to be officially cited for a violation in the first place, the very least the policy should stipulate is that any violation remains on a resident's record permanently, with no caveats. *These resolutions would facilitate this important step towards much-needed effective enforcement.*

Without this measure, HPHA will continue to deal in a revolving door of violators, where smokers do not take accountability for their actions, have no regard for consequences, and nonsmokers continue to bear the brunt.

As a worthy footnote, HPHA's original vision for the smoke-free policy was appropriately strict, without allowing violations to be negotiated, but then they compromised it in an attempt to satisfy a small, vocal minority of smokers who were against a smoke-free policy. These resolutions would conform to and lend support to HPHA's original intent, as it should be restored.

Keeping smoking and other lease violations on record is the standard of all other Public Housing Authorities nationally, as an obviously common-sense practice of enforcement. There is no reason HPHA should deviate.

The appropriate methods to help residents comply should involve education, community outreach, and smoking cessation services, which the Department of Health is working with HPHA to implement. These are positive strategies to motivate residents -- the "carrot" approach -- and should be strongly encouraged. However, it is inappropriate to sacrifice the necessary enforcement -- "the stick" approach -- of the policy as a motivational tool. Expunging violations only sends the unintended, insidious message that a violator is expected to violate again, and may be granted a clean slate to do so -- which is absolutely contrary to the spirit of compliance!

As these resolutions point up the urgency of curbing the lethal and long-lasting impact of second and thirdhand smoke we are suffering in public housing, I plead that you pass these two resolutions, SCR87 and SR58, to move HPHA towards a more viable, respectable policy.

Please advance these measures in support of our mission to make smoke-free public housing *actually* smoke-free.

Mahalo.