



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

March 15, 2017

TO: The Honorable Senator Lorraine R. Inouye, Chair
Senate Committee on Transportation and Energy

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: HB1142 – RELATING TO CRIMINAL TRESPASS

Hearing: Wednesday, March 15, 2017, 1:15 p.m.
Conference Room 225, State Capitol

POSITION: The Governor's Coordinator on Homelessness supports this Administration measure and offers the following comments. The Coordinator notes that when enforcement of trespass laws on state lands impacts persons experiencing homelessness, these efforts should be coordinated with homeless outreach efforts that connect homeless persons to necessary services and housing. The Coordinator defers to other executive departments in regard to statutory processes and issues related to enforcement of trespass on state lands.

PURPOSE: The purpose of the bill is to add the offense of criminal trespass onto State Department of Transportation lands to the penal code.

The Coordinator notes that the intent of the bill is not to criminalize homelessness, but to address issues related to theft and vandalism on state lands, as well as issues related to public safety.

The Coordinator further notes that – if or when homeless individuals are displaced or adversely impacted by the enforcement of trespass laws on state lands – state departments and agencies work with the Coordinator's office to ensure that homeless outreach is provided. The offer of outreach is essential to provide direct assistance to unsheltered homeless households, and to build rapport that connects them to housing and services, such as Housing First, Rapid Rehousing, or shelter.

In addition to outreach, the Coordinator works with State departments and agencies to address concerns related to property or other items that may be left behind on state lands following the enforcement of trespass laws. The Legislature provided in section 171-31.5, Hawaii Revised Statutes (HRS), a process for the disposition of abandoned property on state land for all individuals, including individuals who are homeless. Section 171-31.5, HRS, requires a 30 day notice that property has been abandoned or seized, and provides a means for owners of abandoned or seized property to retrieve such property, which could include government issued identification or other government records. By following the provisions of section 171-31.5, HRS, in coordination with homeless outreach, the State works to protect the due process rights of homeless persons who may be adversely impacted by enforcement of criminal trespass laws.

Finally, the Coordinator notes that the state's strategy to address homelessness acknowledges the connection between homeless outreach and public safety efforts impacting homeless persons, and is aimed at connecting homeless persons to long-term housing as opposed to merely displacing individuals from one property to another. For example, in Kakaako Makai, the State balanced the enforcement of trespass in the public park with the provision of homeless outreach services that assisted over 290 of an estimated 300 homeless individuals to access shelter and permanent housing between August 2015 and present.

Thank you for the opportunity to testify on this bill.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 7:23 PM
To: TRE Testimony
Cc: voicesofkauai06@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
KUULEINANI NAPUANANI KANINAU	VOICES OF KAUAI	Oppose	No

Comments: PLEASE OPPOSE Bill HB1142 RE: Criminal Trespass on Public Lands, Transportation lands or otherwise. My name is Kuuleinani Napuanani Kaninau I am a resident of the County of Kauai, a Veteran of the US Navy, & from October 2012 until Dec. 2015 I was HOUSELESS for the FOURTH time since 2004. Voices of Kauai a non-profit organization was CREATED in 2006, & our PURPOSE “hoping to give VOICE to those who feel they have none...” I created my organization at first to assist fellow VETERANS who were HOUSELESS & gradually extended my services to our HOUSELESS COMMUNITY here on Kauai while HOUSELESS myself for the SECOND time in 2006. As a VETERAN I have been SUCCESSFULLY housed under the HUD/VASH Program for now 15 months. Truth be told, in that time were it not for the WRAP AROUND SERVICES on TWO OCCASIONS, HOUSELESSNESS would have again been my REALITY. HOUSELESSNESS here in Hawaii has CONTINUOUSLY placed our state NUMBER 1 in the nation for several YEARS so much so that a STATE OF EMERGENCY & a request for emergency funds were REQUESTED by our current Governor last year. Attempts to remedy this STATE OF EMERGENCY have had some SMALL SUCCESS however it CONTINUES TO BE DIFFICULT to ELIMINATE & OR MINIMIZE our HOUSELESSNESS community. Given that our success as a state, CRIMINALIZING HOUSELESSNESS with no VIABLE OPTIONS, SOLUTIONS & or SEVERELY LIMITED RESOURCES, DOES NOT & HAS NOT yet worked & only further strips these less fortunate PEOPLE of our COMMUNITIES of their dignity. If not “here or there” then WHERE? Kauai has ONE HOUSELESS SHELTER that only RECENTLY increased their size to FORTY BEDS with a first come first serve basis (OUT BY 8 am)...the reality is that there are still nearly TWO HUNDRED who are left without shelter & or place to rest WHEN IT IS NEEDED... Oahu is losing or has lost & or had to minimize its shelter sizes due to new laws... THE THOUGHT NEEDS TO BE we should RESOLVE the issues with the NEW LAWS that have CUT FUNDING & SHELTER SIZES THAT WILL PUT PEOPLE ON OR BACK ON THE STREETS BEFORE WE CRIMINALIZE MEMBERS OF OUR COMMUNITY. I attended both my county & state HOUSELESS conventions in 2015...WHILE BEING HOUSELESS. I was able to speak on behalf of myself & the community I SERVE...& am reiterating my main argument WE

ARE NOT UTILIZING THE RESOURCES AVAILABLE OR PEOPLE THAT LIVE & BREATHE THE DIFFICULTIES OF HOUSELESSNESS... DECISIONS ARE BEING MADE WITH SEVERELY LIMITED BOOTS TO THE GROUND EXPERIENCE BY PEOPLE THAT DO NOT KNOW HOW SERVE THE BEST INTERESTS & OR NEEDS OF OUR HOUSELESS COMMUNITY... As I always do I am offering the RESOURCES & EXPERIENCE Voices of Kauai has gained in its 11 years of business; 4 years & 11 mo. (TOTAL) of which I LIVED & BREATHED THE REALITIES & DIFFICULTIES OF HOUSELESSNESS & the laws that have HINDERED more than they have helped to RESOLVE & OR ELIMINATE HOUSELESSNESS for our state. Respectfully,
Ku'uleinani Napuanani Kaninau

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 7:40 PM
To: TRE Testimony
Cc: kauwilamahina@gmail.com
Subject: *Submitted testimony for HB1142 on Mar 15, 2017 13:15PM*

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kaylene Sheldon	The John Munn Kahikina Kelekona Foundation	Oppose	No

Comments:

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Kau'i Pratt-Aquino, Esq.
PRATT LAW HAWAI'I, LLLC
kau@prattlawhi.com

Aloha Hawaii State Senate,

Please accept this testimony in **STRONG OPPOSITION of HB 1142** which would add the offense of criminal trespass against people remaining on improved state department of transportation land when it is closed or otherwise restricted and on or under state highways. I oppose this measure because it is overbroad, vague and will have unintended negative consequences long term.

It criminalizes a person just for being on state lands under an arbitrary standard. The intent of this measure is to target Native Hawaiian cultural practitioners and our vulnerable homeless population. It is poorly thought out and a knee jerk reaction to give police the tools they need most immediately but it does nothing to incorporate the long-term impacts on our criminal justice system or on the rights of cultural practitioners. I see this measure as a direct attack on Native Hawaiians because of our constitutional cultural rights tied to state lands and for the fact that Native Hawaiians make up a large majority of the homeless population. I have two major concerns related to this bill.

First, this measure attacks Native Hawaiian cultural practitioners who exercise their religious and gathering rights on state lands. The standard in this bill is arbitrary and capricious. Technically, the state could build a tiny structure on Department of Transportation lands, put up sign and then prevent anyone from entering on these lands, lands that might have been used for generations for gathering rights.

Hawaii land laws are different from any other state because of our unique history stemming from the illegal overthrow of 1893 when 1.8 million acres of government and crown lands were illegally taken from Queen Liliuokalani. As a result of the illegal overthrow, those lands were transferred by the U.S. to Hawaii and placed into the Public Lands Trust under Section 5 of the Admissions Act as a condition of statehood subject to five public trust purposes. Under this provision, the state has a fiduciary to implement policies related to these lands for the "betterment of conditions of Native Hawaiians" and to protect and preserve customary and traditional rights under Article XII Section 7 of the Hawaii State Constitution. This measure does the exact opposite because it places Native Hawaiian cultural practitioners in a position to be injured by just exercising their constitutional rights. In fact, it seeks to regulate these rights and the state's fiduciary duty out of existence.

Customary and traditional practitioners have constitutional rights to state lands. The problem with this measure is it gives the Department of Transportation broad authority to regulate state lands without any consideration for the constitutional rights of cultural practitioners. History has proven that state leaders lack training in this area because it is against western property rights.

The head of this department could make a decision on what lands should be regulated, build a tiny structure, put a sign and prevent all from entering these lands without any discussion from those impacted by the regulation. As result of this action, the police would be forced to criminalize all people who enter on these lands so long as the state meets the proposed standard under this act which does not include the rights of history of that particular place, which is imperative to know for cultural practitioners who practice in the proposed area.

HB 1142 also gives law enforcement broad powers to criminalize individuals without any consideration to customary and traditional rights. What guideline does law enforcement have to determine who is a cultural practitioner or who is not? What guideline does law enforcement have to determine what “improved state lands” means? Is this guideline discretionary? Will this guideline be determined by the police officer’s subjective view of the property or the person’s outward appearance? Are the police trained in Native Hawaiian law? From the plain language of this measure, law enforcement does not have any guideline to work with. Without such guideline, the unintended consequence will likely lead to law enforcement violating the constitutional rights of cultural practitioners.

Because Native Hawaiians and the general public have a property interest in these lands through the Public Land Trust, a discussion must take place with the community before any regulation can be placed on these lands if the goal of the state is to develop viable long term solutions that work to meet the needs of everyone but also to honor the rights of cultural practitioners.

There are sufficient protections in place now under current case law to provide the state with power to regulate such lands (Pratt, Hanapi decisions). The state cannot regulate Native Hawaiians completely off of state lands. In addition to this, more discussion is needed to determine what constitutes “improved state lands.” This term is still unclear and more discussion is needed with the community to come up with a solid definition instead of making a law that has a very broad definition.

The second problem with this bill is that it will be a direct attack on our vulnerable homeless population. It is no secret that homeless individuals take refuge under bridges on the island of Oahu. This bill criminalizes our homeless who have no to low resources to support or defend themselves. This is not a viable solution for our community because it does nothing to address the underlying issue or cause of homelessness. The underlying issue is Hawaii’s high cost of living. This bill would create another set of problems because it would give police the right to ticket individuals who are homeless. This is unethical and immoral because it is likely that our vulnerable homeless population will not be able to afford the penalties associated with this measure unless the intent is to imprison them permanently. Our criminal courts are already inundated with thousands of cases in which our state is unable to maintain. Our courts, prosecutors and public defenders are overwhelmed with hundreds of cases each day. Why, then, would we add more work for them? This bill would have an adverse impact on our prison system because once an individual is in the system after multiple violations and the failure to pay those fines, he or she will go to prison for a long period of time. The expense to maintain this measure will fall on tax payers.

I am disappointed that our lawmakers would introduce and attempt to pass such a bill. I expect more from our law makers to come up with viable solutions for today and the future. This bill does nothing for our future but to create more problems. Please do right by our communities and kill this bill. Feel free to call or email me with any questions.

Sincerely,

Kau'i Pratt-Aquino

(808) 393-1948

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 8:20 PM
To: TRE Testimony
Cc: sylviedahl@aol.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Sylvia Dahlby	Individual	Support	No

Comments: Testimony IN SUPPORT of HB1142 Relating to Criminal Trespass Aloha, I am writing in support HB1142. I live in Hilo and feel the Bill is important because it will help enforce public safety and right-of-way on the Mauna Kea Access Road. This is a dangerous road, and with the ongoing controversy over permitting and possible construction of the Thirty-Meter-Telescope, we have had a lot of protesters demonstrating their opposition to the project. While most of the protesters are peacefully exercising their rights by camping out near the Visitor Information Station, some have blocked the road, illegally stopping and impeding traffic, and on one occasion a few protesters placed big rocks in the road which could have caused a tragic or fatal accident, or created a major problem if there had been need for a medical emergency vehicle to get through. In addition, the protesters standing on the road put themselves at risk in the event of brake failure on downward bound vehicles. HB1142 would help law enforcement ensure the safety of this roadway for everyone. While some may say that HB1142 would infringe on Native Hawaiian practitioner's rights, I believe it is intended to simply to uphold the law, and empower law enforcement to more effectively address issues of public safety. The bill is specific to trespass on Dept. of Transportation land, making it a crime to blockade state roadways. Passage of this bill will help improve safety on all public roads. Thank you for the opportunity to submit comments.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 6:41 PM
To: TRE Testimony
Cc: jonikamiya@gmail.com
Subject: *Submitted testimony for HB1142 on Mar 15, 2017 13:15PM*

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Joni Kamiya	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 11:07 PM
To: TRE Testimony
Cc: hula.clay@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Veronica Ohara	Individual	Support	No

Comments: I am submitting testimony in support of HB1142, a bill not intended to target the homeless and adds a second degree criminal trespass on to state lands. For far too long people have willingly flaunted state instructions thereby costing the tax payer money. For example hiking in areas that are closed, requiring rescue efforts by the state. People come to Hawaii and are intoxicated by the beauty and disregard that beaches are closed due to high surf, thus putting life guards and rescue personnel at risk. Changing the offense to criminal trespass would be a good way to let people know that Hawaii take's infractions on state land seriously and perhaps people will think twice before embarking on foolish action.

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Sent: Wednesday, March 15, 2017 12:38 AM
To: TRE Testimony
Cc: Merway@hawaii.rr.com
Subject: *Submitted testimony for HB1142 on Mar 15, 2017 13:15PM*

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
marjorie erway	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 4:48 PM
To: TRE Testimony
Cc: blackbird4aloha@hotmail.com
Subject: *Submitted testimony for HB1142 on Mar 15, 2017 13:15PM*

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Merle Hayward	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 4:43 PM
To: TRE Testimony
Cc: d_acain@yahoo.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Dominic Acain	Individual	Oppose	No

Comments: I oppose this bill as written for the fact that it does not have in place an exemption for those who have traditionally gathered food in some of these improved areas prior to the overthrow of the Kingdom of Hawaii and the Statehood which occurred because of that overthrow. The Hawaiian people and more importantly the descendants of Hawaiian Kingdom subjects have been displaced, their language was almost lost and their culture have been uprooted. The inability for these descendants to continue to gather as their ancestors because of the overthrow is perpetuated in this measure. It also perpetuates the genocidal acts committed upon a peaceful people who the state of Hawaii now force to pay taxes to them to have even more taken away. There needs to be some sample of justice and respect for the people and the culture from whom the State of Hawaii have misappropriated their flag, their lands, their language and their culture and have done next to nothing to reflect any empathy, accountability or respect for a people who have been in these islands since time immemorial. I understand the intent of this bill but in it's present form and without regards to the above aforementioned I cannot in good conscience support this Bill as written.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 4:36 PM
To: TRE Testimony
Cc: jana.nicole.laborte@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jana-Nicole Laborte	Individual	Oppose	No

Comments: I oppose this bill. Gathering and traditional uses of the land and ocean have been in my family from before I was born. I remember going with my grandparents, I remember my dad. Now my brother carries on that tradition. How will we as kanaka be able to sustain a living connected with our 'aina if we're going to be criminalized for our traditions?

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 4:09 PM
To: TRE Testimony
Cc: jesteacher2@hotmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Okasako	Individual	Oppose	No

Comments: I OPPOSE House Bill 1142 which adds the offense of criminal trespass onto State Department of Transportation lands to the penal code which is punishable by up to 30 DAYS IN JAIL. -The Hawaiian people have a right to over 1.8 million acres of the former Crown and government lands of the Kingdom of Hawaii which were illegally transferred to the US and as a condition of Statehood. -Much of the lands currently held by DOT are public trust lands where the traditional, customary, and subsistence access and gathering rights of the Hawaiian people are reserved and have been since the time of the Māhele (1848) and Kuleana Act of 1850. -Hawaiian rights to access lands for traditional, customary, and subsistence purposes are recognized in the Hawaii State Constitution (1978) Article XII Section 7 which gives the government a duty to “protect all rights customarily and traditionally exercised for subsistence, cultural and religious purposes.” -The right to access lands was reconfirmed by the court in the Kalipi vs. Hawaiian Trust (1982) case. -The cultural and customary access rights of the Hawaiian people were further expanded in the courts in the Paty vs. Pele Defense Fund (1992) and in the Public Access and Shoreline vs. Hawaii County Planning Commission (1995) court decisions. -This bill criminalizes Hawaiian rights to access public lands for traditional, customary, and subsistence purposes and provides no accommodations and protections for Hawaiians and initially assumes guilt -putting the burden of legal protection of rights upon the Hawaiian people. -This coupled with the fact that the Hawaiian people as a group are socio-economically challenged would give undue hardship and stress to the people of the ‘āina (land).

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Aloha Senators,

Please OPPOSE HB1142 which adds the offense of criminal trespass onto State Department of Transportation lands to the penal code which is punishable by up to 30 DAYS IN JAIL.

HB1142 is unconstitutional and violates Hawaiian rights to access and gather their land for traditional, customary and subsistence purposes recognized in the Hawaii State Constitution Article XII Section 7 and in place since the time of the Māhele in 1848 and the Kuleana Act of 1850. The Hawaiian people have the rights to over 1.8 million acres of the former Crown and government lands of the Kingdom of Hawaii which were illegally transferred to the US and as a condition of Statehood. The right to access lands was reconfirmed by the court in the Kalipi vs. Hawaiian Trust (1982) case. The cultural and customary access rights of the Hawaiian people were further expanded in the courts in the Paty vs. Pele Defense Fund (1992) and in the Public Access and Shoreline vs. Hawaii County Planning Commission (1995) court decisions.

This bill criminalizes Hawaiian rights to access public lands for traditional, customary, and subsistence purposes and provides no accommodations and protections for Hawaiians and initially assumes guilt putting the burden of legal protection of rights upon the Hawaiian people. This coupled with the fact that the Hawaiian people as a group are socio-economically challenged would give undue hardship and stress to the people of the 'āina.

I urge you to strongly oppose HB1142 and similar legislation which criminalizes the rights of Hawaiians.

Mahalo,

Courtney O'Kief

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 7:52 AM
To: TRE Testimony
Cc: st.fjames@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Frances Salvato	Individual	Oppose	No

Comments: Please do not limit the rights of cultural practitioners. It is wrong. Don't be part of the problem. Honor this miraculous place! Don't enable greed. Thank you.

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Sent: Wednesday, March 15, 2017 6:52 AM
To: TRE Testimony
Cc: clarkl004@gmail.com
Subject: *Submitted testimony for HB1142 on Mar 15, 2017 13:15PM*

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Clark	Individual	Oppose	No

Comments:

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HIRAM Y RESPICIO
87-123 HELELUA ST G308
NANAKULI, HI 96792

STOP HB1142

Wednesday, March 15, 2017

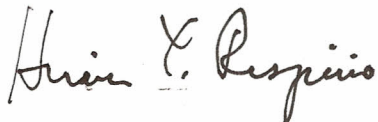
I AM AGAINST HB1142, RELATING TO THE CRIMINAL TRESPASS ONTO STATE OF HAWAII DEPARTMENT LANDS.

AS YOU ALREADY KNOW THIS GOES AGAINST KING KAMEHAMEHA'S "LAW OF THE SPLINTERED PADDLE" WHICH HAS BEEN IN FORCE SINCE KAMEHAMEHA I RULE. YOUR BILL ALSO PREVENTS CITIZENS OF THIS STATE TO GATHER PLANTS AND ANIMALS NECESSARY TO THEIR CULTURAL AND RELIGIOUS PRACTICES.

THIS BILL CANNOT BE PASSED DUE TO THE INFRINGEMENT OF OUR CONSTITUTIONAL RIGHTS OF RELIGION.

I IMPLORE EACH SENATOR AND REPRESENTATIVE TO KILL THE BILL.

THANK YOU

A handwritten signature in cursive script that reads "Hiram Y. Respicio". The signature is written in dark ink and is positioned below the typed name.

HIRAM Y RESPICIO

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 1:25 AM
To: TRE Testimony
Cc: maoliinstitute@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Toni Auld Yardley	Individual	Oppose	No

Comments: THIS IS LAND GRABBING - ESPECIALLY CROWN LANDS ON MAUNA KEA - AND CRIMINALIZING CULTURAL AND SPIRITUAL ACCESS - WHILE VIOLATING NATIONAL HISTORIC PRESERVATION ACT SECTION 106 "§708- (2) Land is not "improved state department of transportation land" if it only has minor improvements, including utility poles, signage, and irrigation facilities or systems; or minor alterations undertaken for the preservation or prudent management of the unimproved or unused land, including fences, trails, or pathways. Land is not "improved state department of transportation land" solely due to state maintenance activities, including forest plantings and the removal of weeds, brush, rocks, boulders, or trees; or removal or securing of rocks or boulders undertaken to reduce risk to downslope properties. "State department of transportation lands" means all land owned by the State through its department of transportation or otherwise under the jurisdiction or management of its department of transportation.

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Sent: Wednesday, March 15, 2017 1:19 AM
To: TRE Testimony
Cc: leinaala.mauna@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Leina'ala Sleightholm	Individual	Oppose	No

Comments: This bill could potentially have collateral impacts that may not be evident to the public in the bill as currently written and needs to be more specific. There are too many unknowns and unanswered questions.

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 12:38 AM
To: TRE Testimony
Cc: alishanguyen63@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Alisha Nguyen	Individual	Oppose	No

Comments: Aloha kAkahiaka. My name is Puahalaokalani Nguyen. I strongly and rightfully OPPOSE this bill due to the simple fact that I don't see the equality for the Hawaiian people to be band from their own rightful land. How dare and SHAME ON WHOEVER YOU ARE for even writing this bill. Just think, put yourself in our shoes and see how YOU would feel from being banned from your own property.. Mahalo A Nui for your time. Me ke aloha nui, Alisha Ngoc Puahalaokalani Nguyen

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 11:39 PM
To: TRE Testimony
Cc: naniomerod1@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
MaryAnn Omerod	Individual	Oppose	No

Comments: I strongly oppose adding the offense of criminal trespass onto State Department of Transportation lands to the penal code.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 11:23 PM
To: TRE Testimony
Cc: johnnar55@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
johnna rapozo	Individual	Oppose	No

Comments: I oppose this bill as it criminalizes Hawaiian rights to access public lands for the traditional, customary, and subsistence purposes and provides no accommodations and protection for Hawaiians.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 11:19 PM
To: TRE Testimony
Cc: nataliejeanf@gmail.com
Subject: *Submitted testimony for HB1142 on Mar 15, 2017 13:15PM*

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
natalie forster	Individual	Oppose	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 10:38 PM
To: TRE Testimony
Cc: keomaivg@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kealoha Pisciotta	Mauna Kea Anaina Hou	Oppose	No

Comments: Aloha Pumehana Law Makers, I testify in opposition to this measure because it fails to protect the constitutional rights of Native Hawaiian and specifically runs counter to those rights enumerated under Article 12, Section 7 relating to Native Hawaiian Traditional and Customary Cultural and Religious Practices. This law is not compatible and will violate Native Hawaiians Constitutional Protections. I thank you for your time and Consideration, In Aloha I remain Kealoha Pisciotta

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 10:20 PM
To: TRE Testimony
Cc: naniomerod1@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
MaryAnn Omerod	Individual	Oppose	No

Comments: I strongly oppose adding the offense of criminal trespass onto State Department of Transportation lands to the penal code.

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 10:00 PM
To: TRE Testimony
Cc: Salinasckl@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kimberly crawford	Individual	Oppose	No

Comments: Aloha Honorable Joseph M. Souki and committee, My Name is Kimberly Crawford I am a 24 year old Mother, community member, and Kia'i Loko (Fishpond guardian). I was born, raised and continue to reside in Kalaoa on Moku o Keawe (Hawaii Island) and will continue to establish my daughter's roots here. I am strongly opposed to the proposed House bill HB1142. A Bill that Adds the offense of criminal trespass onto State Department of Transportation lands to the penal code. To those who value the westernized idea of ownership this bill may be fitting. The idea that when you own or manage a piece of land that it belongs to you, and no one else, and only you get to decide what's best for this piece of land. It is often that these decisions are made without a care, or perhaps a disregard of the established community, and result in a compromise of resources for the future that sustained previous generations. When I tried to get an Idea of areas managed by D.O.T around me I thought immediately of KOA Kona international airport. KOA is lying adjacent to one of Kona region's most popular beaches, what my ohana calls Mahaiulas also known as Kekaha Kai state park. This beach is heavily trafficked by locals and visitors alike, there's a beautiful white sand bay at the end of the road with crystal clear waters and the most amazing sea breeze, And off to the south of the parking area there is a A'a off-road trail connecting to Kona international Airport that is highly prized by our local fishers, divers, and gatherers. Weekend camping trips at black sands are sort of a given for anyone who has grown up in this area of North Kona. Another area Highly prized by locals but already extremely managed is Kawaihae Harbor, a bay and major port now guarded by multiple man made breakwalls that our keiki have learned to swim, fish, surf, celebrate, and play in. But Kawaihae harbor like many areas, if not all areas managed by the D.O.T are on lands that are also very culturally and spiritually significant. Areas where people continue to practice, to pule, to collects Wai, to harvest limu, to fish, to sustain not only themselves through physical nourishment but also mental/spiritual nourishment and perpetuity of an entire culture for our Keiki. As a community member and mother I am opposed to this bill not only for Kanaka Hunting/Fishing/Gathering rights but also for our Houseless population. Hawaii has an extremely high and ever increasing Houseless population due to the huge lack in affordable housing for the community and inadequate unevenly distributed wages. Until we as a community rise up and build the housing for

these people we cannot continue to criminalize their situation. Mahalo for your time and consideration, Kimberly Crawford. Salinasckl@gmail.com 808-557-1873

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Sent: Tuesday, March 14, 2017 9:37 PM
To: TRE Testimony
Cc: bawoof1@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Brad Wood-Ferren	Individual	Oppose	No

Comments: I OPPOSE this Bill. Hawaiians have Gathering Rights to all State Lands
Mahalo for your consideration

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Sent: Tuesday, March 14, 2017 9:35 PM
To: TRE Testimony
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for HB1142 on Mar 15, 2017 13:15PM*

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Oppose	Yes

Comments:

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Sent: Tuesday, March 14, 2017 9:24 PM
To: TRE Testimony
Cc: keahipua@yahoo.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Joy Mills	Individual	Oppose	No

Comments: I Opppse this bill , as a Hawaiian I find it unethical and against our native gathering rights & practices. It subjects us as Hawaiians toppssible unlawful arrests based on biases against our people . Please do not take away our rights as Hawaiians . Mahalo

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 9:12 PM
To: TRE Testimony
Cc: alapaikewe@yahoo.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
keawe alapai	Individual	Oppose	No

Comments: My name is KEAWE KKK ALAPAI and I Oppose of HB1142 I feel that their IS some sort of PREJUDICE against HAWAIIANS and its HAWAIIAN CONSTITUTION ARTICLE 12 SECTION 7. HB1142 is going against the HAWAIIA'S CONSTITUTION AND WHAT IT'S STANDS FOR. HAWAII'S CONSTITUTION GIVES RIGHTS TO HAWAIIANS WHILE HB1142 IS TRYING TO TAKE AWAY RIGHTS FROM HAWAIIANS. OUR HAWAII'S CONSTITUTION GIVES FREE PASSAGE TO COLLECT SUBSTINANCE FREE TO WORSHIP WITHOUT CONSEQUENCES WHILE HB1142 WANT TO ARREST HAWAIIANS FOR DOING THEIR CULTURAL PRACTICES. THEIR FOR I STRONGLY OPPOSE HB1142.

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PARTNERS IN CARE
Oahu's Coalition of Homeless Providers

TESTIMONY IN OPPOSITION TO HB 1142: RELATING TO CRIMINAL TRESPASS

TO: Senator Loraine R. Inouye, Chair, Senator Donovan M. Dela Cruz, Vice Chair, and Members, Committee on Transportation and Energy

FROM: Greg Payton, Partners in Care, Chair of Advocacy Committee

Hearing: Wednesday, March 15, 2017; 1:15 pm; Conference Room 225

Chair Inouye, Vice Chair Dela Cruz, and Members, Committee on Transportation and Energy:

Thank you for the opportunity to provide testimony **in opposition to** HB 1142, which would add the offense of criminal trespass onto State Department of Transportation lands to the penal code. I am Greg Payton, the Chair of the Advocacy Committee for Partners in Care.

Partners in Care (PIC) is Oahu's continuum of care as defined by HUD, and PIC represents a coalition of more than 35 non-profit, homeless providers. Our Coalition opposes this bill and other efforts to criminalize the State's homeless population. Adding on criminal offenses such as HB 1142 to the penal code makes it more likely that a homeless person will end up with a criminal record. The consequence can impact their ability to find a job, or losing their identification during incarceration, but even more important, it may result in them being screened out of consideration for a rental unit. The State has devoted significant time, money and effort into ending homelessness. This bill creates additional barriers to homeless people actually being able to access affordable permanent rental housing.

Furthermore, adding criminal trespass to a homeless person's record does not give any meaningful relief to the crisis in homelessness in our State. It moves the homeless onto other areas which are then further impacted. Instead of criminalizing the homeless with this bill, we urge the Legislature to work with providers to follow best practices; e.g., the USICH's guidelines on "Ending Homelessness for People Living in Encampments"; expanding homeless outreach to engage people to enter homeless services; and rental assistance, which have proven successful in actually moving the homeless off the streets, out from under bridges or other sites and into permanent housing. Partners in Care is committed to working on evidence-based programs that can effectively move the homeless into permanent housing.

Partners in Care opposes this bill which would place additional barriers to moving homeless people into permanent housing. We urge you to defer the bill.

Please contact Greg Payton, PIC Chair of Advocacy Committee, gpayton@mhkhawaii.org or at 808-529-4554, if you have any questions.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 8:31 PM
To: TRE Testimony
Cc: Mrmedia1982@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Karl Rocco	Individual	Oppose	No

Comments: The cultural traditions of the Native Hawaiian people are extremely important for a variety of reasons. We need to educate ourselves and understand that by forbidding the people of Hawaii from participating in those traditions we are not only going to create additional conflict but deepen the divide amongst the people - which is something that we cannot afford at this point. If we are to gain the trust of the people then the only course of action is to destroy HB1142. It is the pono thing to do!

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Sent: Tuesday, March 14, 2017 8:31 PM
To: TRE Testimony
Cc: kkapu2@hawaii.edu
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Keliiaikapoliolehua Kapu	Individual	Oppose	No

Comments: It is important for our government to protect the rights of Native Hawaiian Practitioners. By making this into law, we criminalize Native Hawaiian Practitioners from continuing traditional practices. it is not fair for Native Hawaiians to be punished for practicing traditional ways. What protection do we have as Hawaiians to practice our traditions? We are already oppressed in many ways through the American Government. These beautiful arts of our culture are nearly extinct, and to criminalize our Native Hawaiian practitioners for practicing and preserving our culture is just another layer of oppression. Regarding our houseless, ow will this affect those families? What are you doing as a government to make the houseless situation better? Is there a plan set out? Specifically how are we intentionally putting an effort to supporting our houseless, especially our Native Hawaiian Houseless? Putting them in jail and pushing them away does not solve problems but simply put a band-aid over the issue. I would like to see more of an effort toward improving this issue before we start to criminalize them. Mahalo for your time.

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Aloha Senators,

Please OPPOSE HB1142 which adds the offense of criminal trespass onto State Department of Transportation lands to the penal code which is punishable by up to 30 DAYS IN JAIL.

HB1142 is unconstitutional and violates Hawaiian rights to access and gather their land for traditional, customary and subsistence purposes recognized in the Hawaii State Constitution Article XII Section 7 and in place since the time of the Māhele in 1848 and the Kuleana Act of 1850. The Hawaiian people have the rights to over 1.8 million acres of the former Crown and government lands of the Kingdom of Hawaii which were illegally transferred to the US and as a condition of Statehood. The right to access lands was reconfirmed by the court in the Kalipi vs. Hawaiian Trust (1982) case. The cultural and customary access rights of the Hawaiian people were further expanded in the courts in the Paty vs. Pele Defense Fund (1992) and in the Public Access and Shoreline vs. Hawaii County Planning Commission (1995) court decisions.

This bill criminalizes Hawaiian rights to access public lands for traditional, customary, and subsistence purposes and provides no accommodations and protections for Hawaiians and initially assumes guilt putting the burden of legal protection of rights upon the Hawaiian people. This coupled with the fact that the Hawaiian people as a group are socio-economically challenged would give undue hardship and stress to the people of the 'āina.

I urge you to strongly oppose HB1142 and similar legislation which criminalizes the rights of Hawaiians.

Carlene Greenlee

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 6:11 PM
To: TRE Testimony
Cc: bob-marion@hawaiiantel.net
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Marion McHenry	Individual	Oppose	No

Comments: I strongly oppose this bill!

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Sent: Tuesday, March 14, 2017 5:35 PM
To: TRE Testimony
Cc: puaena.n.ahn@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Pua'ena N. Ahn	Individual	Oppose	No

Comments: This bill would violate the Kanawai Mamalahoe, which is enshrined one Article 9 Section 10 of the state of Hawai'i constitution. Would lead to an unfair targeting of the homeless and would interfere with the traditional access and cultural practices of Kanaka Maoli.

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Sent: Tuesday, March 14, 2017 5:31 PM
To: TRE Testimony
Cc: tulsigreenlee@icloud.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Tulsi Greenlee	Individual	Oppose	No

Comments: Aloha, I oppose this bill because I feel it would hurt homeless people more than help them. Thank you Tulsi

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March 14, 2017

**TESTIMONY IN OPPOSTION TO HB 1142 RELATING TO CRIMINAL TRESPASS
by Barbara Polk**

Dear Chair Lorraine Inouye, Vice Chair Donovan Dela Cruz, and
Members of the Senate Committee on Transportation and Energy,

HB 1142 would criminalize remaining on State land when it is closed or otherwise restricted or under state highways. I strongly oppose this bill because it is yet another step in criminalizing homelessness. The State Legislature, over the past decade, has done little to provide housing or adequate shelter for people who cannot afford the high cost of rentals or home purchase in Hawaii. Yet the city and state continue to take steps to see to it that those people cannot stay or sleep anywhere.

The sweeps of homeless people (as though they were trash to be swept up!) has been a failed strategy, only increasing the pain of the weakest members of our community rather than addressing their needs. While the human cost has been extremely high, as a taxpayer I am also concerned with the monetary cost of this failed policy. Many millions of dollars have been wasted over the past decade to arrest, jail prior to trial, and try those who do not have houses, and more recently, to set up procedures for recording confiscated property and providing a system for reclaiming it. Please do not waste more money pushing people around.

I have read the testimony presented at the Senate hearing on SB 895 by the Governor's Coordinator on Homelessness, seeking to reassure legislators that sweeps of homeless people is paired with support and assistance. However, we all know that there is not enough housing to place currently houseless people in. That testimony reads like a fairy tale, presenting aspirations as though they were successes. Surely assisting 290 Kakaako homeless individuals over a two to three year period to find "shelter" *or* permanent housing, makes little difference to the other 6000-12,000 houseless individuals in the State, and hardly justifies further limitations on where houseless individuals can stay.

Until such time as the state can provide permanent housing for those who are houseless, I urge you to defer HB 1142.

Aloha mai,

O wau kou inoa, Pi'ikea Loa and am a lifelong resident of Hawai'i as most of my 'Ohana have been for many generations. I am a descendant of the Pi'ilani line of Maui, Umi-a-Liloa of Waipio and na 'Ohana Naauhau of Kahalu'u Kona. One of the most important kuleana that we have as Hawaiians is to keep our culture alive. We thrive on doing this in many ways, one being practicing the traditions of our ancestors as well as teaching our keiki to do the same. As the host culture, we should not have to justify any of our practices. It should not be a crime to be Hawaiian in Hawaii. For these reasons and more as well as below-I am submitting testimony in opposition of both HB 1142 and SB 895 SD1.

-The Hawaiian people have a right to over 1.8 million acres of the former Crown and government lands of the Kingdom of Hawaii which were illegally transferred to the US and as a condition of Statehood.

-Much of the lands currently held by DOT are public trust lands where the traditional, customary, and subsistence access and gathering rights of the Hawaiian people are reserved and have been since the time of the Māhele (1848) and Kuleana Act of 1850.

-Hawaiian rights to access lands for traditional, customary, and subsistence purposes are recognized in the Hawaii State Constitution (1978) Article XII Section 7 which gives the government a duty to "protect all rights customarily and traditionally exercised for subsistence, cultural and religious purposes."

-The right to access lands was reconfirmed by the court in the Kalipi vs. Hawaiian Trust (1982) case.

-The cultural and customary access rights of the Hawaiian people were further expanded in the courts in the Paty vs. Pele Defense Fund (1992) and in the Public Access and Shoreline vs. Hawaii County Planning Commission (1995) court decisions.

-This bill criminalizes Hawaiian rights to access public lands for traditional, customary, and subsistence purposes and provides no accommodations and protections for Hawaiians and initially assumes guilt -putting the burden of legal protection of rights upon the Hawaiian people.

-This coupled with the fact that the Hawaiian people as a group are socio-economically challenged would give undue hardship and stress to the people of the 'āina (land).

Mahalo Nui,
Pi'ikea Loa
Moku o Keawe

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 9:59 AM
To: TRE Testimony
Cc: mlkkaleiohi@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Leilani Kalilimoku	Individual	Oppose	No

Comments: Kaumaha my heart when I see Bills of this type that seem to reflect going backwards in division rather than moving forward together. I believe we can find better ways to resolve the issues this bill intends to address.

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TESTIMONY IN OPPOSITION TO HB 1142
MARCH 15, 2017

To the Honorable Members of the Senate Committee on Transportation and Energy:

Aloha kakou.

I would like to state my opposition to HB 1142. It is contrary to the spirit and intent of the native gathering rights and cultural practices that are protected constitutionally by the Hawaii State Constitution.

As a reminder:

Native Hawaiian gathering rights are addressed in HRS §§1-1 and 7-1, and in Article 12 §7 of the Constitution of the State of Hawaii.

There are requirements to legally exercise these constitutionally protected native Hawaiian rights of gathering. A person must be able to establish the following.

1. He or she must qualify as “native Hawaiian” within the guidelines set out in Public Access Shoreline Hawaii (PASH) v. Hawai’i County Planning Com’n, 903 P.2d 1246, 1270 (Haw. 1995).
2. Once qualified as a native Hawaiian, he or she must then establish that his or her claimed right is constitutionally protected as a customary or traditional native Hawaiian practice.
3. He or she must also prove that the exercise of the right will occur on undeveloped or “less than fully developed property.”

Respectfully submitted.

Brenda Wong
2944 Papali Place
Honolulu, HI 96819
Email brendahl@yahoo.com

To members of the Transportation committee:

I oppose House Bill No. 1142. This bill criminalizes *Hawaiian gatherers and traditional practitioners who access land under the Department of Transportation (DOT). Much of the lands currently held by the DOT are *Hawaiian crown and government lands where customary access rights of *Hawaiians are still in place. These customary rights of access for cultural and spiritual practices must be upheld.

Mahalo,
Terrilee Kekoolani-Raymond
3704 Pelu Place, Honolulu, HI 96816
Kaimuki, Oahu

* Hawaiians/Native Hawaiian/Kanaka Maoli

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 14, 2017 9:36 PM
To: TRE Testimony
Cc: mavisoliveira@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/14/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Mavis Oliveira-Medeiros	Individual	Comments Only	No

Comments: I am writing in extreme opposition to hb1142. It would be a most heinous crime for you all to pass something that would stop the host culture of these islands, (Hawaiians) from practicing their own culture. This is not even taking into consideration that much of these State lands, ceded lands, were meant for Hawaiians. How could anyone think that this would be okay? Please, please oppose this bill. Mahalo nui, Mavis Oliveira-Medeiros Earle Medeiros, Sr John-Bull English Earle Medeiros, Jr

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 6:02 AM
To: TRE Testimony
Cc: alex.beers@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
alex beers	Individual	Comments Only	No

Comments: To whom it may concern, I want to strongly urge that you vote no on hb1142. This just seems like a bad idea all around. Blessing, Alex Beers

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 3:35 PM
To: TRE Testimony
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Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
jason lee	Individual	Oppose	No

Comments: As a native Hawaiian by blood I oppose this bill.

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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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 15, 2017 3:13 PM
To: TRE Testimony
Cc: dkapua@gmail.com
Subject: Submitted testimony for HB1142 on Mar 15, 2017 13:15PM

HB1142

Submitted on: 3/15/2017

Testimony for TRE on Mar 15, 2017 13:15PM in Conference Room 225

Submitted By	Organization	Testifier Position	Present at Hearing
Kapua Keliikoa-Kamai	Individual	Oppose	No

Comments: Aloha kakou, HB1142 -RELATING TO CRIMINAL TRESPASS. Adds the offense of criminal trespass onto State Department of Transportation lands to the penal code..... I STAND IN STRONG OPPOSITION AND FIND THIS AN AFFRONT TO KANAKA MAOLI AND THE HOUSELESS COMMUNITY. IT IS A CONTINUATION OF DEPRIVING KANAKA OF OUR RIGHTS AND AINA!..... SHOW US THE TREATY-LAND DOCUMENTS THAT LEGALLY CONVEYED HAWAIIAN KINGDOM LANDS TO ANYONE or ENTITY, including the fake-state of Hawaii. Stop criminalizing free speech, kanaka gatherings, protests and other expressions of reality (Ku Kiai Mauna, Thomas Square, Waianae Boat Harbor, etc.)..... Mahalo, Kapua Keliikoa-Kamai

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