



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

Testimony of **Ford Fuchigami**
Administrative Director, Office of the Governor

Before the
Committee on Health & Human Services
Committee on Housing
February 7, 2018
9:30 a.m., Conference Room 329

In consideration of
House Bill No. 2014
RELATING TO HOMELESSNESS

Chairs Mizuno and Brower, Vice Chairs Kobayashi and Nakamura, and committee members:

Thank you for the opportunity to provide comments with strong concerns on **House Bill 2014**.

Though the issue of homelessness continues to be at the forefront of problems facing the State of Hawaii, we have strong concerns about this bill and defer to the Governor's Coordinator on Homelessness on the substance of the bill.

We appreciate your attention and will be available to answer your questions, should you have any at this time.



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

February 7, 2017

TO: The Honorable Representative John M. Mizuno, Chair
House Committee on Health and Human Services

The Honorable Representative Tom Brower, Chair
House Committee on Housing

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

SUBJECT: **HB 2014 – RELATING TO HUMAN SERVICES**

Hearing: Wednesday, February 7, 2018, 9:30 a.m.
Conference Room 329, State Capitol

POSITION: The Governor's Coordinator on Homelessness appreciates the intent of this measure, defers to the Department of the Attorney General in regard to potential legal implications, and offers comments. In particular, the Coordinator has concerns regarding the potential adverse impact on priorities included in the Governor's supplemental budget request.

PURPOSE: The purpose of the bill is to require the Governor to make available state land for the establishment of a homelessness village, and establishes the Puuhonua Homeless Villages program within DHS. The bill specifies that a minimum of eight thousand homes shall be completed within a certain timeframe, waives all applicable state and county permitting and construction fees, and provides immunity from civil liability to volunteers and state employees who provide housing or services to homeless persons. In addition, the bill appropriates \$190,000,000 for fiscal year 2018-2019 for construction and infrastructure, and \$208,000,000 for fiscal year 2018-2019 for the management, maintenance, and day-to-day operations of the program.

Homelessness remains one of the most pressing challenges facing Hawaii, and the State has adopted a comprehensive framework to address homelessness that focuses on three

primary leverage points – affordable housing, health and human services, and public safety. In particular, the State has worked together with the Legislature and other stakeholders to increase resources for permanent housing programs, such as Housing First and Rapid Rehousing. Between 2015 and 2017, the number of permanent housing beds for homeless individuals statewide increased by 1,986 – an increase of 146%, more than doubling the supply of permanent beds. The coordinated efforts to implement the State’s framework to address homelessness are working to reduce the number of homeless individuals statewide. In 2017, the statewide Point in Time (PIT) count found that the number of homeless people in Hawaii had decreased for the first time in eight years – a decrease of 701 people between 2016 and 2017.

It is critical that the State continue to invest in programs such as Housing First and Rapid Rehousing that have proven their effectiveness. Accordingly, the Coordinator respectfully requests the Legislature’s support of the Governor’s Executive Budget request, which includes over \$15 million for homeless services. Collectively, the homeless programs administered by DHS and other State agencies represent an array of financial resources designed to provide one-time crisis assistance, as well as medium term (3-24 months) and longer-term support. This mix of short-, medium-, and long-term assistance is designed to transition at-risk and homeless individuals and families into stable housing, and is also designed to prevent homelessness by assisting formerly homeless individuals in maintaining housing over time.

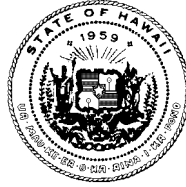
With regard to section 3 of this measure, the Coordinator notes that the three identified properties include a state park in active use by the public, as well as areas where residential use may impose adverse impact on environmental resources and native wildlife. In particular, two species of rare anchialine pool shrimp known as *Halocaridina rubra* and *Metabetaeus lohena* occupy an underground complex or honeycomb spaces beneath the Waianae parcel, and the beach portion of the Olai Street property is frequented by endangered Hawaiian monk seals. The Coordinator defers to DLNR and HDOA in regard to specific concerns relating to the three properties.

With regard to section 4 of this measure, the Coordinator notes that the construction and oversight of a long-term housing project requires specialized skills and expertise that may

be beyond the current capacity of DHS. The construction and installation of necessary infrastructure (e.g. sewer, water, electricity, and road access) may require more than 12 months to complete. The Coordinator defers to the City and County of Honolulu in regard to specific concerns relating to the waiver of county permitting and construction fees, and other potential issues related to infrastructure.

With regard to sections 5 and 6, the Coordinator respectfully defers to the Department of the Attorney General in regard to potential legal implications.

Thank you for the opportunity to testify on this bill.



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 7, 2018

TO: The Honorable Representative John M. Mizuno, Chair
House Committee on Health and Human Services

The Honorable Representative Tom Brower, Chair
House Committee on Housing

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2014 – RELATING TO HOMELESSNESS**

Hearing: Wednesday, February 7, 2018, 9:30 a.m.
Conference Room 329, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill and offers the following comments. DHS defers to the Department of Land and Natural Resources, the Department of Attorney General, the Department of Accounting and General Services, the Department of Transportation and the County of Honolulu. DHS has concerns that the measure may create unforeseen consequences and may adversely affect the Executive budget request for homeless services. Furthermore, DHS is concerned that this measure will create formal homeless encampments on the State land. The better strategy is to place individuals and families into housing.

PURPOSE: The purpose of this bill requires the Governor to make available state land for the establishment of a homelessness village and establishes the Puuhonua Homeless Villages program. Provides limitation on liability for government entity and volunteers providing services. Makes an appropriation.

With regard to section 3, we defer to other relevant State departments, County, and federal agencies as to appropriate parcels of land and transportation. DHS is concerned that areas identified are not in areas that are accessible to participants and will increase cost burdens to other departments.

We defer to the more experienced and knowledgeable agencies as to feasibility of different aspect of the proposal including identification of properties length of construction, financing, security, refuse, security, and other provisions necessary to develop a housing project as propose.

With regards to section 4, as long as the appropriation does not supplant a priority identified in the Governor's supplemental budget request. DHS is able to establish homeless assessment centers through contracted services modeled after the Family Assessment Center in Kaka'ako, assuming property and facilities are identified and available for use, and an appropriation of general funds are made for necessary renovation, maintenance and services. Additional staff may be required to operationalize this section.

The best strategy to end homelessness is to find people safe and affordable housing. Housing First is an approach that emphasizes stable, permanent housing as a strategy for ending homeless. Safe zones, encampments, or tent cities created by measures take away that choice, which is the critical component of Housing First. Housing First has been successfully implemented on Oahu and DHS Homeless Programs Office expanded the Housing First program to the neighbor islands.

Additionally, as noted by the National Alliance to End Homelessness, Housing First is based on the theory that client choice is valuable in housing selection and supportive service participation, and that exercising that choice is likely to make a client more successful in remaining housed and improving their life. The residential campgrounds proposed in this measure takes away that choice which is the critical component of Housing First.

Thank you for the opportunity to testify on this bill.

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committees on
HEALTH AND HUMAN SERVICES
and
HOUSING

Wednesday, February 7, 2018
9:30 AM
State Capitol, Conference Room 329

In consideration of
HOUSE BILL 2014
RELATING TO HOMELESSNESS

House Bill 2014 proposes seek to establish a Pu‘uhonua Homeless Villages Program within the Department of Human Services (DHS). The Program would build a minimum of 8,000 homes on land identified by the Governor provided that at least three parcels of land currently under Department of Land and Natural Resources (Department) jurisdiction be included, as well as require certain services and limit the liability of state workers, volunteers and non-profit organizations who work at and manage these villages. **While the Department defers to the Department of Human Services regarding the establishment and management of a Pu‘uhonua Homeless Villages Program, the Department opposes this bill as written because of the land parcels identified as detailed below.**

The Department requests that if any of its lands are used for the purposes of a Pu‘uhonua Homeless Village, that the land be transferred to an agency whose mission better matches the purposes of a Pu‘uhonua Village.

The first parcel identified, Tax Map Key (TMK) [1] 5-7-001:035 is Sand Island State Recreation Area (SRA). A portion of Sand Island SRA was developed with Federal Land and Water Conservation Fund (LWCF) monies. Use of LWCF monies has a requirement that the property must be retained in public outdoor recreation in perpetuity. Any other use will require the State to acquire replacement land for outdoor recreation that is of equivalent monetary and recreational value. Each property must be appraised, and the State is not allowed to use another existing park to fulfill the land conversion. Use of the Sand Island SRA for the purposes of a Pu‘uhonua

Homeless Village will not meet the terms of the bill because it is unlikely that a conversion could be completed in two years, and it would add significantly to the initial cost of the Pu‘uhonua Villages. The Department notes that the Sand Island SRA is a highly used urban park.

The second parcel identified, TMK [1] 9-8-030-010, is commonly referred to as Olai Street. The Department is currently in the process of transferring these lands to the Department of Agriculture. The Department also notes that this area is popular for fishing and the beach portion is a haul out area for monk seals. The Department suggests that an environmental impact statement be done if the entire parcel was converted to a Pu‘uhonua Homeless Village.

The third parcel identified is commonly referred to as the Boat Harbor because of its proximity to the Waianae Boat Harbor. This property is under the jurisdiction of the Department’s Division of Aquatic Resources because it contains a series of anchialine ponds housing two species of rare opae‘ula. The Department feels that a more suitable property without rare species should be identified.

The Department notes that it has been working with House leadership to identify properties that could be used for the purposes of this bill or other “safe zone” type housing opportunities. Of the parcels under discussion, the parcel that meets the requirements of this bill is TMK [1] 8-7-006:009 located at 87-1380 Farrington Highway.

Thank you for the opportunity to comment on this measure.

DAVID Y. IGE
Governor

DOUGLAS S. CHIN
Lt. Governor



SCOTT E. ENRIGHT
Chairperson, Board of Agriculture

PHYLLIS SHIMABUKURO-GEISER
Deputy to the Chairperson

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 South King Street
Honolulu, Hawaii 96814-2512
Phone: (808) 973-9600 FAX: (808) 973-9613

**TESTIMONY OF SCOTT E. ENRIGHT
CHAIRPERSON, BOARD OF AGRICULTURE**

**BEFORE THE HOUSE COMMITTEES ON HEALTH & HUMAN SERVICES AND
HOUSING**

**FEBRUARY 7, 2018
9:30 A.M.
CONFERENCE ROOM 329**

**HOUSE BILL NO. 2014
RELATING TO HOMELESSNESS**

Chairperson Mizuno, Chairperson Brower and Members of the Committees:

Thank you for the opportunity to testify on House Bill No. 2014 relating to homelessness. This measure requires the Governor to make certain state lands available for the establishment of a homeless village and establishes the Puuhonua Homeless Villages program. It also provides limitation on liability for government entities and volunteers providing services and makes an appropriation. The Department offers comments on this bill with strong concerns with the transferring of the Olai Street parcel.

The Olai Street parcel is currently in the process of being transferred to the Department of Agriculture. The Department currently leases a parcel immediately adjacent to the Olai Street parcel on which Hawai'i's largest USDA-inspected animal harvesting and meat processing facility operates. The facility is in the process of seeking a \$50,000,000 expansion of its operations. The Department intends to provide the Olai Street parcel to optimize the slaughterhouse operations to ensure that the growing needs of the general public for fresh meat and poultry products can be met.

The Department respectfully requests that the Olai Street parcel be removed from the list of available properties contemplated for the purposes of this measure.

Thank you for the opportunity to testify on this measure.





STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY

919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

NOLAN P. ESPINDA
DIRECTOR

Cathy Ross
Deputy Director
Administration

Jodie F. Maesaka-Hirata
Deputy Director
Corrections

Renee R. Sonobe Hong
Deputy Director
Law Enforcement

No. _____

WRITTEN TESTIMONY ONLY

TESTIMONY ON HOUSE BILL 2014
RELATING TO HEALTH

by

Nolan P. Espinda, Director
Department of Public Safety

House Committee on Health and Human Services
Representative John M. Mizuno, Chair
Representative Bertrand Kobayashi, Vice Chair

House Committee on Housing
Representative Tom Brower, Chair
Representative Nadine K. Nakamura, Vice Chair

Wednesday, February 7, 2018; 9:30 a.m.
State Capitol, Conference Room 329

Chairs Mizuno and Brower, Vice Chairs Kobayashi and Nakamura, and Members of the Committees:

The Department of Public Safety (PSD) appreciates the intent of House Bill (HB) 2014, which would require the Governor to make available state land for the establishment of a homelessness village, establish the Puuhonua Homeless Villages program, and provide limitation on liability for government entities and volunteers providing services. PSD defers to the Department of the Attorney General with regard to potential legal implications.

Page 7, lines 11 – 14 would require the Department of Human Services (DHS) to collaborate with appropriate departmental personnel and state and county law enforcement agencies to provide security for the Puuhonua homeless villages program.

Testimony on HB 2014
House Committee on Health and Human Services
House Committee on Housing
February 7, 2018
Page 2

Page 9, lines 15 – 19 appropriates to DHS the sum of \$208,000,000 for fiscal year 2018 – 2019 for the management, maintenance, and day-to-day operations of the Puuhonua homeless villages. It not clear, however, if any of these funds may be transferred or reimbursed to PSD for law enforcement services, if such services are, in fact, necessary.

Thank you for the opportunity to testify on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-NINTH LEGISLATURE, 2018**

ON THE FOLLOWING MEASURE:

H.B. NO. 2014, RELATING TO HOMELESSNESS.

BEFORE THE:

HOUSE COMMITTEES ON HEALTH & HUMAN SERVICES AND ON HOUSING

DATE: Wednesday, February 7, 2018 **TIME:** 9:30 a.m.

LOCATION: State Capitol, Room 329

TESTIFIER(S): Russell A. Suzuki, Acting Attorney General, or
Melissa L. Lewis, Deputy Attorney General

Chairs Mizuno and Brower and Members of the Committees:

The Department of the Attorney General offers the following comments.

The purpose of this bill is to appropriate funds for fiscal year 2018-2019 to make three identified parcels of state land located on Oahu available to establish homeless villages that will provide approximately 8,000 units for homeless people. The bill contains a provision that may be subject to legal challenge.

Section 4 of this bill, on page 7, lines 18-20, provides that:

All state and county permitting and construction fees shall be waived for the homes and homeless village structures constructed pursuant to this Act.

This provision could be interpreted to be a special law rather than a general law as required by article VIII, section 1, of the Hawaii Constitution, which provides:

The legislature shall create counties, and may create other political subdivisions within the State, and provide for the government thereof. Each political subdivision shall have and exercise such powers as shall be conferred under general laws.

Article VIII, section 1, requires that powers conferred to counties are done so by general laws. General laws are defined as "laws which apply uniformly throughout all political subdivisions of the State." Bulgo v. Maui County, 50 Haw. 51, 58, 430 P.2d 321, 326 (1967), *cf.* Sierra Club v. Department of Transportation of State of Hawaii, 120 Hawaii 181, 202 P.3d 1226 (2009). This measure would restrict in one county, the City and

County of Honolulu, powers otherwise conferred by general laws on all counties. To avoid a potential legal challenge we suggest that the following amendment be made:

All state ~~and county~~ permitting and construction fees shall be waived for the homes and homeless village structures constructed pursuant to this Act.

In addition, to further strengthen the defensibility of the bill, we would suggest that the committee add statements in section 1 stressing that homelessness is an issue of statewide concern and that this is a pilot project that could lead the way to similar ones statewide. This wording would be consistent with article VIII, section 6, of the Hawaii State Constitution, which provides; “[t]his article shall not limit the power of the legislature to enact laws of statewide concern.”

Alternatively, if this measure is intended to be a statewide program, not just pertaining to the City and County of Honolulu, we recommend that in section 3 the wording be amended to include potential statewide locations. If the intent is to apply the program statewide then county fees may be waived.

If this bill proceeds we respectfully request that the recommended modifications be made.

HB-2014

Submitted on: 2/5/2018 12:59:52 PM

Testimony for HHS on 2/7/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Goodman	Hawaii Kai Homeless Task Force	Support	No

Comments:

My name is Mike Goodman. I'm the Director of the Hawaii Kai Homeless Task Force. I want to thank everyone on this committee for the opportunity to submit testimony in support of HB2014 also known as the Pu`uhonua Homeless Villages Act. Unfortunately, I am unable to appear in person, and must submit my testimony in writing.

There are many bills before you relating to homelessness. Many of them have merit. But HB2014 is the only fully comprehensive Act that will make Hawai`i the first state in the country to end its' homeless crisis. How can we make such an audacious claim? Because HB2014 will provide every homeless person with a place to live. If this bill passes, everyone would have a home, and if everyone has a home, there's no more homeless crisis. Every other bill or policy is designed to either house or help only part of the homeless population. Shelters are also not the answer; A cot in a shelter is no substitute for a home.

By using sophisticated building materials incorporated into modular dwellings, we can build 8000 units, for about \$200 million dollars. That's less than one percent of the \$3.5 billion dollars it would cost to do with conventional construction. Unconventionally constructed units could also be completed in less than two years, instead of the eight to ten years it takes to build conventional housing. Moreover, the bill provides over \$200 million a year to cover maintenance, and wrap-around supportive services including; outpatient psychiatric treatment, drug counseling, and basic medical care.

This bill also contemplates incorporating housing into villages with a maximum of 100 units each. This concept has been shown to mitigate "ghettoization", a phenomenon often seen in public housing projects. For example, Justice Village in Los Angeles successfully housed homeless in a village comprised of InterShelter domes for a period of 14 years. Here in Hawaii, Pu`uhonua `O Waianae, a homeless village near the Waianae Boat Harbor, provided homes for hundreds in a loving, self-governed community, despite the lack of running water and electricity.

Homelessness is the worst crisis faced by the State of Hawai`i since Pearl Harbor. Unsheltered homelessness, also known as "Sleeping rough", is a public health and safety disaster for *everyone*, not just the homeless. **Nothing less than bold action from the Legislature and other public officials will suffice.**

“For lack of a shower, a papercut can turn into a life-threatening infection”. A University of Pennsylvania Study found the average life expectancy for an unsheltered, chronically homeless person is about 64 years.^[i] Poor hygiene and exposure to the elements, invariably generates the need for massive medical intervention, creating needless suffering, at a huge cost to taxpayers. Hawaii News Now reported that the unsheltered homeless generate costs of over 90 million dollars a year at the Queens Hospital emergency room alone, stretching services to the breaking point.^[ii] Thirty-nine homeless people accounted for at least 734 ER visits in 2016. **That means others, with life-threatening emergencies are not always treated timely.**

Communicable diseases amongst the unsheltered can also infect the general population.^[iii] In California, on September 6, 2017, the San Diego County Communications Office, reported that a public health emergency was declared after an outbreak of hepatitis A amongst the homeless killed 15 people. ^[iv] in New York City during the 1990’s, a super-strain of drug-resistant tuberculosis was generated amongst mentally ill homeless persons who refused to finish their course of antibiotics. ^[v]

Unsheltered homeless are frequently victims of crimes, many committed by other unsheltered homeless.^[vi] It costs taxpayers about \$1000 a week to incarcerate someone, plus the ancillary costs of police, judges, defense attorneys and prosecutors.

Nomadic, unsheltered, and unmanaged, homeless camps damage the quality of life for everyone. In 2014, Honolulu officials reported confiscating 10 tons of rubbish every week, abandoned on the sidewalks by unsheltered homeless.^[vii] Illegal, unmanaged homeless camps can also pose a fire danger. In Atlanta Georgia, a large fire emanating from an un-managed homeless camp, destroyed an overpass on the I-85 highway.^[viii]

Polls show that the vast majority of your constituents are desperate for answers and HB2014 provides real answers. I hope you’ll all vote for passage of this bill.

^[i][i] Kevin Fagan, *The Coming Homeless Die-Off*, SFGATE BLOG., March 27, 2013 available at <http://blog.sfgate.com/stew/2013/03/27/the-coming-homeless-die-off/>

^[ii] Allyson Blair, *Hawaii’s Largest Hospital Cracking Under the Strain of the Homeless Crisis*, KHNL Hawai`i News Now (Feb 14, 2017) available at <http://www.hawaiinewsnow.com/clip/11862932/treating-homeless-patients-costs-queens-medical-center-millions>

^[iii] SÈkÈNÈ Badiaga, Didier Raoult & Philippe Brouqui, Centers for Disease Control, *Emerging Infectious Diseases* Vol. 14 No. 9 Preventing and Controlling Emerging and

Reemerging Transmissible Diseases in the Homeless, 1356 (Anne Mather ed., 2008) available at www.cdc.gov/eid

[iv] Tom Christiansen, *Local Public Health Emergency for Hepatitis A Outbreak Ratified by Board of Supervisors*, County News Center, County of San Diego Communications Office, September 6, 2017, available at <https://www.countynewscenter.com/local-public-health-emergency-for-hepatitis-a-outbreak-ratified-by-board-of-supervisors/>

[v] Karen Brudney & Jay Dobkin, *Journal of Public Health Policy*, Vol. 13 No. 4, Resurgent Tuberculosis in New York City: Human Immunodeficiency Virus: Homelessness, and the Decline of Tuberculosis Control Programs, 435-50 (Winter, 1992) available at <http://www.jstor.org/stable/3342533>

[vi] *Crimes Against America's Homeless: Is the Violence Growing?: Hearing before the Subcomm. on Crime and Drugs of the S. Comm. on the Judiciary*, 111th Cong. Hearing no. 111-915, ser. no. J-111-112 at 1 (Mar. 29, 2010) (statement of Sen. Cardin, Member S. Comm. on the Judiciary).

[vii] Adam Nagourney, *Honolulu Shores Up Tourism With Crackdown on Homeless*, N.Y. Times, June 22, 2014, at A13, available at http://www.nytimes.com/2014/06/23/us/honolulu-shores-up-tourism-with-crackdown-on-homeless.html?_r=0

[viii] Jason Hanna, Faith Karimi, Steve Almasy, *I-85 collapse: Three arrested after major fire under Atlanta highway*, CNN, April 1, 2017 available at <http://www.cnn.com/2017/03/31/us/atlanta-interstate-85-fire-collapse/index.html>, See also Dan Nakaso, *Concern Grows Over Fires at Homeless Camps Under Roads and Bridges*, Honolulu Star Advertiser, July 8, 2017 available at <http://www.staradvertiser.com/2017/04/09/hawaii-news/concern-grows-over-fires-at-homeless-camps-under-roads-and-bridges/>

HB-2014

Submitted on: 2/5/2018 10:07:16 PM

Testimony for HHS on 2/7/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:

PRESENTATION OF THE

OAHU COUNTY COMMITTEE ON LEGISLATIVE PRIORITIES

DEMOCRATIC PARTY OF HAWAII

TO THE COMMITTEE ON HEALTH & HUMAN SERVICES

AND

COMMITTEE ON HOUSING

HOUSE OF REPRESENTATIVES

TWENTY-NINTH LEGISLATURE

REGULAR SESSION OF 2018

Wednesday, February 7, 2018

9:30 a.m.

Hawaii State Capitol, Conference Room 329

RE: Testimony in Support of HB 2014, RELATING TO HOMELESSNESS

To the Honorable John M. Mizuno, Chair; the Honorable Bertrand Kobayashi, Vice-Chair, and Members of the Committee on Health & Human Services:

To the Honorable Tom Brower, Chair; the Honorable Nadine K. Nakamura, Vice-Chair, and Members of the Committee on Housing:

Good morning. My name is Melodie Aduja. I serve as Chair of the Oahu County Committee ("OCC") Legislative Priorities Committee of the Democratic Party of

Hawaii. Thank you for the opportunity to provide written testimony on House Bill No. 2014, regarding the Puuhonua Homeless Villages Program,

The OCC Legislative Priorities Committee is in favor of House Bill No. 2014 and support its passage.

House Bill No.2014 is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as the Puuhonua homeless villages act increases efforts to reduce homelessness by making certain parcels of state land available to establish homeless villages that will provide approximately eight thousand units for individuals experiencing homelessness; providing assessments, services, and referral services for individuals within the homeless villages under a housing first paradigm; and providing government employees and volunteers with immunity for injuries and damages resulting from the provision of services to individuals experiencing homelessness.

Specifically, the DPH Platform provides that we "believe in the concept of "Housing First" to develop affordable, stable housing and support services to break the cycle of homelessness for people with the fewest housing options.

We support dedicated social services and housing opportunities for Hawaii's homeless population to get them off the streets and reintegrated into society, with specific devoted services for disenfranchised groups including but not limited to, the Hawaiian community, aged-out foster kids, youth, returning veterans, the aged, and lesbian, gay, bisexual and transgender homeless." (Platform of the DPH, P. 7, Lines 352-358 (2016)).

Given that House Bill No.2014 provides for the Puuhonua Homeless Villages Program, it is the position of the OCC Legislative Priorities Committee to support this measure.

Thank you very much for your kind consideration.

Sincerely yours,

/s/ **Melodie Aduja**

Melodie Aduja, Chair, OCC Legislative Priorities Committee

Email: legislativepriorities@gmail.com, Tel.: (808) 258-8889



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

TESTIMONY FOR HOUSE BILL 2014, RELATING TO HOMELESSNESS

House Committee on Health and Human Services

Hon. John M. Mizuno, Chair

Hon. Bertrand Kobayashi, Vice Chair

House Committee on Housing

Hon. Tom Brower, Chair

Hon. Nadine K. Nakamura, Vice Chair

Wednesday, February 7, 2018, 9:30 AM

State Capitol, Conference Room 329

Honorable Chair Mizuno, Chair Brower, and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in support of House Bill 2014, relating to homelessness.

According to the 2017 statewide *Point In Time Count* (PITC) report, 7,220 houseless persons were counted on a single night in January last year, down 9 percent overall from 2016. Yet, O'ahu experienced a 0.4 percent *increase* from the previous year, with 4,959 people counted, up from 4,940 the year before. Hawai'i island saw the largest decrease in its homeless population, which fell 32 percent, or 441 people. Maui County had a 22 percent drop, or 249 people, while Kaua'i saw a 7 percent drop, or 30 fewer homeless people. Notably, the size of the houseless population on O'ahu is up more than 25 percent from 2009, when 3,638 homeless people were counted. Additionally, Department of Education officials have estimated that between 3,500-4,000 public school students experience homelessness at some point during the school year—last year's PITC captured just over half of them—and over 91,000 students are economically disadvantaged. We know, then, that our state's homeless population is consistently larger than the statistics show. It remains the highest per-capita homeless population in the country, according to the U.S. Department of Housing and Urban Development.

Over 30 percent of juvenile arrests in Hawai'i are for running away from home, the highest proportion in the nation. Nationally, one in seven young people between the ages of 10 and 18 will run away. Approximately 75 percent of runaways are female, while 46 percent of runaway and

homeless youth report being physically abused, 38 percent report being emotionally abused, and 17 percent report being forced into unwanted sexual activity by a family or household member, according to the National Conference of State Legislatures. Roughly 30 percent of runaway children will be approached for sexual exploitation within 48 hours of being on the run, with over 80 percent being approached for the commercial sex trade during the course of their time on streets. A federal study found that an estimated 38,600 runaway youth have been sexually assaulted, in the company of someone known to be sexually abusive, or engaged in sexual activity in exchange for money, food, or shelter. Runaways are perceived as easy targets for sex traffickers because they lack stable shelter, a supportive environment, and financial resources, placing them at greater risk of forced prostitution and sexual servitude.

Traffickers exploit our limited number of available shelter beds to lure young people into exploitation. As the homeless childcare provider Covenant House observes, traffickers tell homeless youth that shelters are full and ask, “Where are you going to go? Why don’t you come with me? I’ll take care of you.” Coupled with threats of and actual physical and sexual violence against the victims or their families, these coercive techniques compel runaway youth to remain enslaved. LGBTQ youth, who comprise an estimated 40 percent of the runaway and homeless youth population in the United States, are exponentially more likely to fall prey to human traffickers because of discrimination, family and community trauma, and a longing for comfort and acceptance (an estimated 26 percent of LGBTQ adolescents are rejected by their families and put out of their homes simply for being open and honest about who they are). In providing care for victims of human trafficking, IMUAlliance has heard their stories hundreds of times.

We must find innovative ways to fund homeless services, especially human services, health care, outreach, and rapid rehousing to our state’s unsheltered and at-risk population, many of whom are gainfully employed and contributing our economy. Moreover, we must find a balance between rampant real estate speculation and meeting the needs of our state’s most economically vulnerable residents. Just as our homeless population has soared over the past few years, so, too, has our state’s cost of housing. The median price of condominiums on O’ahu increased 6 percent in the summer of 2017 to a record \$425,000, while the median price for single-family homes increased by 3 percent to \$795,000, according to the Honolulu Board of Realtors, a number that they expect to increase by at least another 5 percent in 2018. Average fair market rent for two-bedroom apartments in *outlying* communities in the City and County of Honolulu now exceeds \$2,000, with the cost of a four-bedroom home in urban Honolulu now exceeding \$1.1 million. At least 43 percent of residences in Hawai’i are owner unoccupied, according to the National Low-Income Housing Coalition, meaning that nearly 50 percent—and by some estimates over half—of Hawai’i’s homes are likely investment properties.

Many of those properties, in turn, are owned by mainland and foreign buyers, whose real estate market speculation is a prime driver of Hawai’i’s highest-in-the-nation cost of housing. According to a study released in May of 2016 by the Hawai’i Department of Business, Economic

Development, and Tourism, there are “clear distinctions” between the average price of homes bought by local residents, mainlanders, and foreigners. Analyzing purchases made between 2008 and 2015, DBEDT found: “The average sale price was highest among foreign buyers. The average sale price of the total of 5,775 homes sold to foreign buyers from 2008 to 2015 was \$786,186, 28.3 percent higher than the average sale price to the mainlanders (\$612,770) and 64.7 percent higher than the average sale price to local buyers (\$477,460).”

Researchers who authored the National Low Income Housing Coalition’s *Out of Reach 2017* report found that a full-time worker would need to earn \$35.20/hour to afford a two-bedroom apartment at fair market value in our state, with Honolulu experiencing a 67 percent increase in fair market rent between 2005 and 2015. Average rent for a two-bedroom unit surpassed \$2,000 in recent years, with minimum wage workers needed to log 116 hours per week at their jobs to afford a modest one-bedroom apartment at fair market value and 139 hours per week to afford a two-bedroom—a number that is equivalent to working 20 hours a day with no days off year-round. In the past three years alone, Honolulu rent has increased by more than 25 percent. While 43 percent of Hawai’i residents are renters (a number that does not include individuals and families renting outside of the regulated rental market), they earn an average wage of \$15.64/hour, scarcely enough to meet their basic needs. One out of every four households in Hawai’i report that they are “doubling up” or are three paychecks or less away from being homeless, per the Hawai’i Appleseed Center for Law and Economic Justice. Additionally, 54 percent of households are cost-burdened, meaning that they pay more than 30 percent of their income for housing costs, a number that rises to 83 percent of extremely low-income households. Put simply, homelessness is directly tied to our state’s exorbitant cost of living and penchant for catering to people who use the islands as their own private Monopoly board. We beseech you to seek innovative ways of making Hawai’i more affordable, while funding services that show aloha for our economically disadvantaged neighbors.

Chronic, unsheltered, and nomadic homelessness is a humanitarian emergency endangering public health and safety. If there is sufficient under- or unutilized state public land suitable for the construction of homeless villages, then using such land to create housing and implement and scale Housing First principles (which combine the stability of a permanent home with streamlined access to supportive services and medical and psychological treatment), as this bill aims to do, would be a strategic use of state resources that could significantly reduce homelessness throughout the islands.

When you fund housing, outreach, and human services for the homeless, you are helping to end slavery in Hawai’i. Mahalo for the opportunity to testify in support of this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

Cynthia K.L. Rezendes

Testimony in **Opposition** of HB 2014 Relating to Homelessness
Committee on Human Services and Committee on Housing
Scheduled for Hearing TWednesday, February 7, 2018, 9:30 AM, Room 329

Dear Chairs Mizuno and Brower, Vice Chairs Kobayashi and Nakamura and Members, Committee on Human Services and Committee on Housing:

Thank you for the opportunity to testify in opposition to HB 2014 advocating to establish a Puuhonua Homeless Village program.

While a supporter of the services needed to help people who are homeless to have a safe place to stay as they work towards either taking advantage of the system as it is already established or to move out of a homeless situation, I am concerned about this bill for a number of reasons.

Establishment of a Puuhonua (or Safe Zone) environment must be done with the services required to encourage people to move out of the Puuhonua or Safe Zone and into a sheltered situation, whether via the emergency/transitional shelter pathway or via Rapid Re-Housing or Housing First. This bill does not set as a goal that residents of the Puuhonua should work towards stabilizing their family situation and work towards either renting within the market or working towards home ownership. This bill appears to allow anyone who ends up residing in a Puuhonua to live there without time limitations or goals as long as they meet the financial limitations established by the bill. (Also, with the conditions in Section (d) (3), is there the possibility that the State could pay the family to stay there "...not be charged more than twenty per cent of the family's aggregate monthly income, less \$100 per month for each dependent family member...") There is no incentive to move out of a Puuhonua. In addition, nothing contained within this bill establishes who is responsible for the constructed dwellings (i.e. future maintenance of the dwelling, keeping the area clean, etc.) Will this be done via future appropriations by the State Legislature to continue the upkeep of the Puuhonua or by other means?

Secondly, for those who followed Superstorm Sandy on the Eastern Seaboard, many low and moderate-income housing establishments were along the docks of various ports in older warehouses no longer required for business purposes. (This created an Environmental Justice issue with placing the population least able to provide for themselves in an area of greater safety/stability. As we have seen numerous times on the Continental U.S. people of color or those without economic resources usually end up in locations least conducive to a safe environment for their health of long-term habitation.) The tremendous strain on the residents who could only afford to live in such areas was great with respect to transportation or evacuation to a "safe" area prior to Superstorm Sandy hitting. In this bill, it is proposed that three areas be considered, all of which are in a tsunami inundation zone. Two of the areas are also fairly remote from regular transportation services thereby potentially placing the residents in a similar situation of evacuation. Also, at least one site if not two are subject to environmental concerns. The DAR property (Wai`anae Small Boat Harbor area) and Olai (Campbell Industrial Park) must be dealt with sensitivity to the environmental issues including (for Wai`anae) a genus of *opae`ula* (red shrimp) for Wai`anae. Other environmental issues need to be considered for the Olai property.

Therefore, I am urging you to not pass this bill as it is written, due to the concerns raised, until these issues are addressed and the program being established would be written to allow safe habitation while residents are working to improve their lot to either work into home ownership or market rental (not without time limit) and to also not increase the environmental justice negative impacts for these residents with the locations identified.



February 6, 2018

Representative Tom Brower
Chair, House Committee on Housing
Hawaii State Capitol, Room 315
Honolulu, HI 96813

Aloha Representative Brower:

My name is Jack Beuttell, and I am co-founder and CEO of Kunoa Cattle Company, based in Kapolei, HI. I am writing to suggest changes to Section 3(a)(2) of HB2014, Relating to Homelessness.

I applaud you for introducing a bill to address the critical needs of the homeless community. My partner holds a Doctorate of Psychology and is a police psychologist for HPD where she is called daily to provide evaluations for the homeless; as a result, I am somewhat familiar with the critical need for more physical and psychological space for victims of homelessness to take refuge and rehabilitate from their afflictions. HB2014 addresses that need.

Section 3(a)(2) of the bill, however, presents conflicts for an equally virtuous initiative that my company, Kunoa Cattle Company, is currently developing. We have been working with the Hawaii Dept. of Agriculture for the better part of two years to lease the State land at 91-319 Olai Street—which is immediately adjacent to our current meat processing facility—so that we can expand the production of local livestock agriculture. In fact, we are currently shepherding a SPRB through legislature (HB1971) to help us finance the build out of this specific site noted in HB2014. This bolt-on to our current premises, which has been suspended in a portfolio conveyance from DNLR to HDOA, is of strategic importance to help us achieve our goals of doubling local meat protein production by 2020.

We kindly request that you remove Section 3(a)(2) and the references to 91-319 Olai Street and Tract Number 980300, Block Number 1010 and seek an alternate space to pursue the very important and noble initiative relating to homelessness.

Mahalo nui for your support of local and sustainable agriculture,

A handwritten signature in black ink, appearing to read 'Jack Beuttell', is written in a cursive style.

Jack Beuttell, Co-founder & CEO
Kunoa Cattle Company, LLC

**TESTIMONY OF NAHELANI WEBSTER ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) REGARDING H.B. 2014**

Date: Wednesday, February 7, 2018

Time: 9:30 a.m.

Room: 329

To: Chair John M. Mizuno and Members of the House Committee on Health and Human Services and Chair Tom Brower and Members of the House Committee on Housing

My name is Nahelani Webster and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) regarding H.B. 2014, Relating to Homelessness.

We agree with the intent of the bill but request that the provisions on page 8, lines 4 through 10 be deleted. Language limiting liability for providing services to homeless individuals is too broad and is bad public policy because it removes the current safeguards in place to protect homeless individuals from injury or damage caused by a public entity or public employee. Those who seek shelter in these facilities should be entitled to the same protection as any other citizen.

In addition, we respectfully request that the provisions on page 8, line 14, through to page 9, line 6, also be deleted. Homeless individuals should be protected in the same way as the rest of the public and not treated as a separate group, without the legal ability to defend themselves against injury or damage caused by a volunteer providing services.

Thank you for the opportunity to testify. Please feel free to contact us should there be any questions.