
A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. (a) The department of human services shall
2 establish safe zones where homeless persons may reside in the
3 State.

4 (b) The location of each safe zone shall be designated by
5 the land use commission.

6 (c) Each safe zone shall be furnished with appropriate
7 hygiene facilities and security and social services as deemed
8 necessary.

9 (d) The peaceful consumption of alcoholic beverages by
10 persons twenty-one years of age or older shall be permitted in
11 safe zones.

12 (e) Animal companions of homeless persons shall be
13 permitted in safe zones.

14 (f) The department shall maintain and operate safe zones
15 until the legislature determines that homelessness is no longer
16 a crisis in the State.



1 (g) The department shall consider the following when
2 establishing safe zones:

3 (1) The target population to be served;

4 (2) Recommendations of potential sites to be designated as
5 safe zones; provided that the sites shall be state
6 lands designated within the urban district by the land
7 use commission;

8 (3) The type of facilities or dwelling units permitted
9 within a safe zone, including the use of modular
10 structures; and

11 (4) Strategies to transition inhabitants of a safe zone to
12 permanent housing that utilizes the housing first
13 approach.

14 (h) The department shall adopt rules, pursuant to
15 chapter 91, Hawaii Revised Statutes, necessary to implement this
16 section.

17 (i) The department may employ, without regard to
18 chapter 76, Hawaii Revised Statutes, and at pleasure dismiss
19 persons it finds necessary to assist with the operation of
20 establishing safe zones.



1 (j) The State shall not be liable for any loss, damage,
2 injury, or death arising from or occurring in a safe zone.

3 SECTION 2. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2018-2019 for
6 the establishment of safe zones where homeless persons may
7 reside in the State.

8 The sum appropriated shall be expended by the department of
9 human services for the purposes of this Act.

10 SECTION 3. This Act shall take effect on July 1, 2018.

11

INTRODUCED BY:








JAN 22 2018



H.B. NO. 2270

Report Title:

Department of Human Services; Homelessness; Safe Zones;
Appropriation

Description:

Requires the Department of Human Services to establish safe zones where homeless persons may reside. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.





EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

February 7, 2018

TO: The Honorable Representative John 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 2270 – RELATING TO HOMELESSNESS

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

POSITION: The Governor's Coordinator on Homelessness respectfully opposes this bill, as the formal establishment of homeless encampments is inconsistent with the State's overall strategy to address homelessness.

PURPOSE: The purpose of the bill is to require DHS to establish safe zones where homeless persons may reside, and appropriate funds for fiscal year 2018-2019.

The Coordinator notes that the adoption of safe zones is inconsistent with the comprehensive State framework to address homelessness adopted by the Hawai'i Interagency Council on Homelessness (HICH) in August 2016. The framework 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 has increased by 1,986 – an increase of 146%, more than doubling the supply of permanent beds. This increase in permanent housing has contributed to an overall reduction in the number of homeless individuals statewide. In 2017, the statewide Point in

Time (PIT) count found the number of homeless people in Hawai'i *decreased* for the first time in eight years – a decrease of 701 people between 2016 and 2017.

While homelessness remains one of the most pressing challenges facing Hawai'i, it is critical that the State continue to maintain its focus and invest in programs that have proven their effectiveness in transitioning homeless individuals to longer-term housing. In 2017, the HICH studied the feasibility of safe zones in Hawaii and concluded “there is a limited body of research relating to Safe Zones, and more information needs to be collected to evaluate their overall effectiveness in addressing unsheltered homeless persons” (HICH, *Act 212 SLH 2017 Safe Zones Working Group*, December 2017).

In contrast to Safe Zones, there is a wide body of evidence that housing-focused programs, such as Housing First, are effective in ending homelessness for long-term homeless individuals with chronic disabling conditions. In particular, the State Housing First program has a housing retention rate of approximately 97% - meaning that 97% of the over-100 chronically homeless households placed in the program over the past four years remain housed and off the streets – which far exceeds the national average of 80%.

The Coordinator further notes that the 2017 Safe Zones Working Group of the HICH found that the United States Interagency Council on Homelessness (USICH) and the U.S. Department of Housing and Urban Development (HUD) remain opposed to the implementation of safe zones, and expressed concerns that the funding of safe zones may result in funding being redirected from other programs that more directly address housing. Specifically, in a 2015 report, the USICH acknowledged that the formation of encampments does not represent an end to homelessness and can “serve to distract communities from focusing on what is most important – connecting people experiencing homelessness to safe, stable, permanent housing” (USICH, *Ending Homelessness for People Living in Encampments: Advancing the Dialogue*, August 2015).

The Coordinator respectfully requests the Legislature's support of the Governor's Executive Budget request, which includes over \$15 million for homeless services, including \$3 million for Housing First, \$3 million for Rapid Rehousing, \$1.75 million for homeless outreach services, and \$680,000 for the Family Assessment Center. 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.

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

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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committees on
HEALTH AND HUMAN SERVICES
and
HOUSING

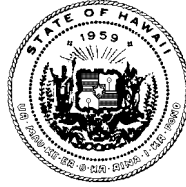
Wednesday, February 7, 2018
9:30 AM
State Capitol, Conference Room 312

In consideration of
HOUSE BILL 2270
RELATING TO HOMELESSNESS

House Bill 2270 proposes to direct the Department of Human Services to establish safe zones where homeless persons may reside in the state. **The Department of Land and Natural Resources (Department) notes that the Administration does not support the establishment of safe zones and offers the following comments.**

If Department lands are identified as the appropriate place on which to locate safe zones, the Department requests that: 1) It be consulted regarding the property: and 2) Any properties to be used as safe zones be transferred to an agency whose mission better matches the management of safe zones.

Thank you for the opportunity to comment on this measure.



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 2270 – 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 to address the State's homeless crisis. However, DHS respectfully opposes this measure. 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 informal homeless safe zones on State land. The better strategy is to place individuals and families into housing.

PURPOSE: The purpose of this bill requires the Department of Human Services to establish safe zones where homeless persons may reside. Appropriates funds.

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 has 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 safe zones proposed in this measure takes away that choice which is the critical component of Housing First.

Many experts on the issue of homelessness agree that these types of safe zones encourage more safe zones. It is important for government to build affordable low income housing to increase the inventory of permanent housing instead of temporary camps. Barbara Poppe, former Executive Director of the United States Interagency Council on Homelessness (USICH), stated that tent cities are not part, or should not be part of the government's response to homelessness.

There are no guarantees that safe zones would be fully utilized. Individuals and families who refuse shelter may also refuse safe zone. There were 7,220 people counted during the 2017 Point In Time (PIT) Count. There are 7,597 shelter beds. Based on these numbers, the state currently has more beds than homeless people.

DHS has implemented new contracts for services using a Housing First approach, which establishes a plan to move toward permanent housing at the outset. DHS needs time to teach, guide, and coach providers to fully implement the new strategy utilizing a Housing First approach.

DHS prefers to expand programs such as the Family Assessment Center and the City's Hale Mauliola programs with data driven results. The Family Assessment Center's average days to permanent housing is currently 77 days. Using this model, the homeless system will be able to create a flow and speed of placements into permanent housing, further addressing homelessness in Hawaii.

With regard to section 1, we defer to more experienced and knowledgeable departments and agencies as to the feasibility of different aspects of the proposal including the identification of properties, length of construction, financing security, and other provisions necessary to develop a housing project as proposed.

Although the Housing First approach is identified in this bill, it is not aligned with the Housing First's essence of low barriers to permanent housing. Furthermore, this bill will allow for programs to set standards that will not meet the need of those who need shelter services the most, prolonging the individual's or person's homelessness.

With regards to section 2, DHS is concerned with the amount of funding and number of safe zones not identified in this bill. DHS further asks for careful consideration as safe zones may divert individuals and families from entering the shelter system and more importantly permanent homes.

Thank you for the opportunity to testify on this bill.

HB-2270

Submitted on: 2/5/2018 9:04:34 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 2270, 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. 2270, regarding the Department of Human Services establishing safe zones where homeless persons may reside,

The OCC Legislative Priorities Committee is in favor of House Bill No. 2270 and support its passage.

House Bill No.2270 is in accord with the Platform of the Democratic Party of Hawai'i ("DPH"), 2016, as it requires the Department of Human Services to establish safe zones where homeless persons may reside.

Specifically, the DPH Platform provides that 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. 9, Lines 452-456 (2016)).

Given that House Bill No.2270 provides for the Department of Human Services to establish safe zones where homeless persons may reside, 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

**TESTIMONY OF NAHELANI WEBSTER ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) REGARDING H.B. 2270**

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. 2270, Relating to Homelessness.

We agree with the intent of the bill but respectfully request that section (j) on page 3 be stricken. The provision absolving the State from liability for any loss, damage, injury, or death is simply too broad and would be against public policy because it would remove the safeguards in place to protect homeless individuals.

Although the measure is well intentioned to encourage the department of human services to establish safe zones, the unintended consequences of removing the responsibility of the State to create a safe environment for the citizens residing there, is unreasonable.

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