



Office of the Public Defender State of Hawai'i

Testimony of the Office of the Public Defender, State of Hawai'i to the Senate Committee on Judiciary

February 17, 2019

S.B. No. 637: RELATING TO SENTENCING

Chair Rhoads, Vice Chair Wakai, and Members of the Committee:

The Office of the Public Defender strongly opposes S.B. No. 637.

This measure would effectively ban persons who meet the required criteria from entering Waikiki between the hours of 6:00 p.m. to 6:00 a.m. We submit that this measure is overbroad and fails to consider the demographics of the Waikiki area. The measure does not take into consideration that persons may live and domicile in the Waikiki area where a large number of affordable rental and condominium apartments are located. It also fails to take into consideration the large number of people employed in the Waikiki area, to and including, hotels, restaurants, and other retail establishments that need and rely upon employees during the 6:00 p.m. to 6:00 a.m. time frame. We are concerned that this measure could and would be used to sweep away homeless population during the evening hours into the neighboring areas and effectively push an ongoing endemic problem into the neighboring areas. We support initiatives and programs that help vulnerable populations instead of measures that may just push a problem from one neighborhood to another without meaningful solutions. It seems additional focus and services for the homeless population in Waikiki and the at-risk youth population that frequent Waikiki in the evening hours would be a better focus.

We do acknowledge that geographical restrictions are in use for prostitution offenses and some drug offenses, however, these restrictions are tailored to that specific offense. A prostitution offender may be subject to a geographical restriction relating to prostitution activities. A drug offender may be subject to a geographical restriction in a designated "Weed & Seed" area relating to drug activities. These restrictions have a nexus with the offense and the area. The broad language of S.B. 637 does not have this nexus. A person may have convictions for misdemeanor offenses that have nothing to do with targeting the Waikiki area or the types of criminal offenses of concern by businesses or the tourist industry, i.e. traffic offenses, city ordinances, offenses involving family or household members that take place in the home, etc.

Thank you for the opportunity to comment on S.B. 637.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR

SUSAN BALLARD
CHIEF

JOHN D. McCARTHY
JONATHAN GREMS
DEPUTY CHIEFS

OUR REFERENCE DT-JK

February 20, 2019

The Honorable Karl Rhoads, Chair
and Members
Committee on Judiciary
State Senate
415 South Beretania Street, Room 016
Honolulu, Hawaii 96813

Dear Chair Rhoads and Members:

SUBJECT: Senate Bill No. 637, Relating to Sentencing

I am Major Dagan Tsuchida of District 6 (Waikiki), Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports Senate Bill No. 637, Relating to Sentencing, as it will keep repeat offenders out of the Waikiki area during specific times. This bill would also further strengthen other areas of Chapter 706 of the Hawaii Revised Statutes that already address conditions of probation for defendants.

We, however, recommend extending the restriction hours to effectively deter those repeat offenders who commit offenses during the daytime. We also ask for clarification of the time period that the defendant's criminal history will be evaluated for the probationary geographic restriction.

The HPD urges you to support Senate Bill No. 637 with the recommended amendments.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Dagan Tsuchida", is written over a horizontal line. The signature is fluid and cursive.

Dagan Tsuchida, Major
District 6

APPROVED:

A handwritten signature in black ink, appearing to read "Susan Ballard", is written over a horizontal line. The signature is cursive and somewhat stylized.

Susan Ballard
Chief of Police



Eric W. Gill, Financial Secretary-Treasurer

Gemma G. Weinstein, President

Godfrey Maeshiro, Senior Vice-President

February 19, 2019

Committee on Judiciary, Hawaii State Senate
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Re: Testimony in strong opposition to SB637

Aloha Chair Rhoads and Members of the Committee:

UNITE HERE Local 5 represents over 11,000 workers in the hotel, food service, and health care industries statewide. Thousands of our members work in Waikiki; many also live there. We stand in **strong opposition to SB637**. This measure appears to be the latest of many that attempt to criminalize homelessness and/or try to push homeless people "out of sight" rather than trying to solve the root causes of homelessness. Paired with local legislation such as the sit/lie ban or the stored property ordinance, this legislation can and likely would be used as a means of evicting homeless people from Waikiki. In doing so, it could significantly worsen conditions for homeless persons. Additionally, we see this bill as a significant threat to workers' rights, tenants' rights and free speech.

Waikiki is one of the largest economic engines of the State. If someone is prohibited from being in Waikiki for half of every day, that could significantly limit their employment opportunities. Who would even hire someone with those kinds of restrictions? Rather than helping anyone, this legislation could make it harder for people to try to get out of the cycle of poverty.

Waikiki is also a significant residential area. People all over our state are struggling to pay their rents or mortgages. There are now and should be more (and larger) programs to help people stay housed by providing housing subsidies. These programs, like Section 8, in many cases rely on finding landlords who will agree to accept such tenants. I have no idea how many Section 8 apartments there may be in Waikiki; but this legislation could prevent people from getting housed by excluding them from available subsidized housing in Waikiki. In fact, it could make it harder for people to get housed anywhere – if a landlord knows that a potential tenant cannot work in Waikiki, they might be that much more likely to discriminate against them. Once again, this legislation could make the problem of homelessness and poverty worse.

By the way, what would happen if a resident owner of a condominium unit in Waikiki had three misdemeanors under this law? Would they be forced to move out of their home?

It is not just for those reasons that UNITE HERE Local 5 opposes this bill, however. We feel this legislation is fatally flawed because **it is likely to be weaponized by employers and landlords** to target certain employees and tenants. It could be used to keep people from standing up for themselves; it could be used to threaten and coerce people. It could also be used to suppress protests and concerted labor actions in Waikiki.

There are a wide range of acts that could result in misdemeanor charges, some of which are quite minor. Unfortunately, our legal system is such that many people cannot afford a lawyer or time off of work to fight a misdemeanor charge. It is unclear how many people may have been wrongfully convicted of misdemeanor charges; but even those who were not wrongfully convicted should not lose their jobs or their homes, or have their lives ruined as a result of having committed misdemeanors.

The path of legislation contemplated by SB637 and other criminalize-the-have-nots style bills does not lead anywhere good. Please end this bill now.

Thank you.



Hawai'i

LATE

Committee: Senate Committee on Judiciary
Hearing Date/Time: Wednesday, February 20, 2019, 10:00 a.m.
Place: Conference Room 16
Re: Testimony of the ACLU of Hawai'i in Opposition to S.B. 637, Relating to Sentencing


Dear Chair Rhoads, Vice Chair Wakai, and Members of the Committee on Judiciary:

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes in opposition to S.B. 637, which would allow courts, as a condition of sentencing on a misdemeanor arising from an offense committed in Waikiki, to ban people from being in Waikiki for an undefined period of time if they have had two prior misdemeanor convictions arising from actions that transpired in Waikiki, within any time period. In addition to enforcement issues, this legislation is overbroad and presents serious constitutional concerns.

This law would likely have a sweeping impact on constitutionally protected fundamental rights and liberties. Were this geographical ban to be applied to an individual who lives and/or works in Waikiki, they could be forced out of their home and their job for a mere misdemeanor conviction. Sudden eviction and termination of employment could reasonably lead to re-offense by pushing individuals into desperate situations. Individuals generally have a protected right to move about and travel intrastate, and this legislation could undermine this right.

Finally, there is no requirement for any temporal proximity between the three misdemeanors in order for banishment to be triggered under this legislation. Because of this, a person could face displacement from their home and termination from their job based on misdemeanor convictions that occurred twenty or thirty years prior. This raises serious concerns regarding excessive punishment and would sweep in individuals who are beyond the category of offenders intended to be targeted by the bill.

Thank you for the opportunity to testify.

Sincerely,

Mandy Fernandes
Policy Director
ACLU of Hawai'i

American Civil Liberties Union of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
T: 808.522-5900
F: 808.522-5909
E: office@acluHawai'i.org
www.acluHawai'i.org

Chair Rhoads and Members of the Committee on Judiciary
February 20, 2019
Page 2 of 2

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for 50 years.

American Civil Liberties Union of Hawai'i
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Testimony of

Mufi Hannemann
President & CEO
Hawai'i Lodging & Tourism Association

Committee on Judiciary
February 20, 2019

Senate Bill 637: Relating to Sentencing

Chair Rhoads and members of the Committee on Judiciary, mahalo for the opportunity to submit testimony on behalf of the Hawai'i Lodging & Tourism Association, the state's largest private sector visitor industry organization.

The Hawai'i Lodging & Tourism Association—nearly 700 members strong, representing more than 50,000 hotel rooms and nearly 40,000 lodging workers — **supports** Senate Bill 637 which seeks to allow a defendant who has been convicted of three misdemeanors in Waikiki to be sentenced to a probationary term of geographical restriction between the hours of 6 pm – 6 am.

Last year, the Hawai'i Lodging & Tourism Association, along with a spectrum of public safety partners, came together to host the first-ever Visitor Public Safety Conference. Our meeting attracted 200 stakeholders from government, the visitor industry, law enforcement, business, armed services, and the community, and was prompted by concern over crime and public safety in Waikiki and other tourist destinations in the islands. The conference revealed the many challenges facing our community, but the exchange of perspectives and ideas also produced many meaningful recommendations which the stakeholders have been pursuing. We are planning our second iteration of this conference for late March of this year.

Waikiki remains the densest per capita area in the Hawaiian Islands and is an ideal location for crime to occur. With public safety as a major priority of the HLTA and the visitor industry at large, we support this measure as a mechanism for the Honolulu Police Department and private security officers to utilize in keeping Waikiki a safe place for visitors and local residents to visit, play, and enjoy.

We appreciate the proactive approach this measure is taking in addressing the growing concerns from our community, our businesses, and our visitors.

Mahalo.

SB-637

Submitted on: 2/16/2019 10:42:27 AM

Testimony for JDC on 2/20/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Individual	Support	No

Comments:

Support with amendment.

I support the intent of SB637 to help curftail crime in Waikiki and make it safer. Recommend amendment to exempt former offenders on furlough programs holding jobs in Waikiki.

February 18, 2019

Senate Judiciary Committee
415 South Beretania Street
Honolulu, Hawaii

Reference: Support for Senate Bill 637

Aloha Senator Rhodes and Committee Members

My individual testimony is in favor of the concept of bill 637.

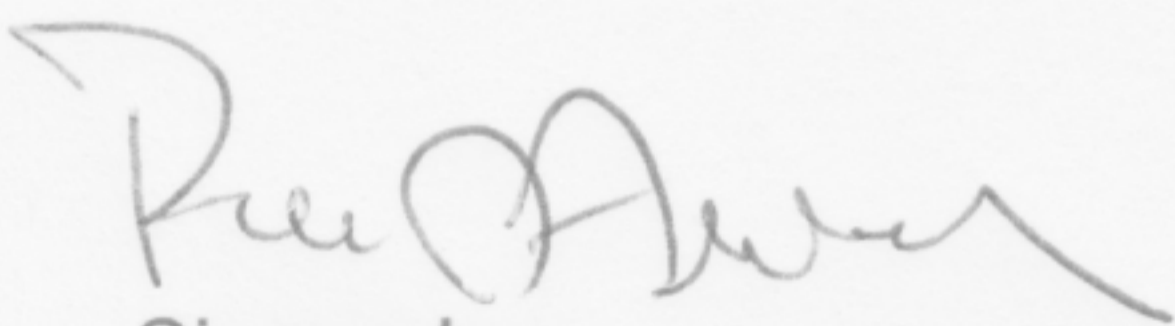
Sunshine law prevents me from providing testimony from the Waikiki Neighborhood Board which has not yet considered the bill.

In my opinion this bill, if it passes all legal consideration, will help reduce the minor criminal acts in Waikiki that impact our residents and businesses. Our residents are concerned about being robbed on the streets and our businesses are all suffering higher costs (sent down to the consumer) for insurance claims for minor theft.

Also, in my opinion I would like to see further legislation on this matter. It has become routine for news stories to indicate that a person charged with a major crime has a long criminal record of starting with misdemeanors and going on to felonies followed by probation or small sentences and suddenly that person is accused of murder, rape or other major crimes.

Impacted are our youth, by "getting away with it" multiple time only encourages them to continue with a life of crime. Parents who, in my era, could punish their children for this type of activity are themselves at risk for being an abusive parent with penalties higher than for the actual person committing a misdemeanor in Waikiki.

Most importantly, I would hope there is legislation on the books that can be used to send those adults who use minors to commit misdemeanors to be tried and given harsh sentences.



Sincerely,
Robert Finley
2222 Aloha Drive #704
Waikiki, Hawaii 96815
(808) 923-5482

SB-637

Submitted on: 2/19/2019 8:14:43 AM

Testimony for JDC on 2/20/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Murakami-Akatsuka	Individual	Support	No

Comments:

Dear Committee,

I strongly support the passage of SB 637 to curtail the crimes by repeat offenders to our residents and visitors to Hawaii, especially in Waikiki. It's about time that we do so. We need to protect individuals at any time of day or night from harm.

Thank you for the opportunity to testify to strongly support the passage of SB 637 and its companion bill HB 1304.

Lynn Murakami-Akatsuka

SB-637

Submitted on: 2/19/2019 8:52:56 AM

Testimony for JDC on 2/20/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
James Logue	Individual	Support	No

Comments:

At this juncture we need to really begin to protect our residents, because we are seeing too many victims. Due to the uptick in crime both reported and unreported in the Chinatown area I ask the committee to please consider including Chinatown to the bill. Mahalo.

LATE

SB-637

Submitted on: 2/19/2019 10:11:24 AM

Testimony for JDC on 2/20/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Stephanie Manera	Individual	Support	No

Comments:

I feel that this bill needs to apply to all areas experiencing high volumes of crime. There shouldn't be just one designated area. These criminals can easily regroup to another place. They need to know this will not be tolerated anywhere and if action is going to be taken against them it should apply to all of Hawaii nei. Mahalo

SB-637

Submitted on: 2/19/2019 11:23:58 AM

Testimony for JDC on 2/20/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Kitchens	Individual	Support	No

Comments:

Hello,

I strongly support SB637.

I am the creator of the statewide community watch group known as Stolen Stuff Hawaii (SSH). We have a member base of over 121,700+ Hawaii-based residents. Our mission is to use the power of social media to help those who have been victimized by crime by helping them to locate their stolen property, identify and aid in the capture of those responsible, and provide emotional support for victims as well as awareness. In a very short time, our group has proven to be instrumental in the recovery of stolen property as well as identifying the criminals responsible for it.

I have spent over four years administrating SSH and during that time, I have witnessed the emotional toil that crime takes on our community. Our group has literally thousands of people who have been victimized by habitual offenders, both non-violent and violent. The amount of property crime Hawaii experiences is absolutely staggering, and it is a serious drain on the financial, morale and welfare aspects of our communities.

When it comes to Waikiki, we all recognize that tourism is our greatest export. I strongly support this attempt to lessen the crime towards our island visitors. Again, I strongly support SB637. Recently, many visitors have been victims of brutal attacks and this discourages tourism. We need to provide ways to protect our tourism industry from further incidents.

That being said, I think more needs to be done to protect our communities as well. Please do not forget the rest of our state.

Sincerely,

Michael J. Kitchens

SB-637

Submitted on: 2/19/2019 2:21:44 PM

Testimony for JDC on 2/20/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Deja	Individual	Oppose	No

Comments:

Feb. 20, 2019

Senate Committee on Judiciary

SB637

Aloha mai e Chair Rhodes and Committee Members:

I am an attorney currently representing patients at a community health center in Waikiki with their civil legal needs. Most of my clients are unsheltered and are some of the individuals with highest medical, mental health, and legal needs; many are recently released from incarceration. I am submitting this testimony in **STRONG OPPOSITION** to SB637.

The policy changes proposed in here are ineffective and counterproductive to encouraging individuals to seek help and treatment. Rather than putting money toward desperately needed outreach, transportation, and housing support services, this bill continues a policy of isolating and driving away the most needy in our community. **This bill does not address the reasons many of my clients are unsheltered and in public spaces, and instead will temporarily 'disappear' the problem by forcing individuals out of public spaces and into private residential communities and jail.**

1. Shelters are routinely full and can be difficult to enter.

I cannot stress enough the difficulty currently in placing a client in shelter. Many if not all of my unsheltered clients would appreciate the opportunity to enter a shelter and are already working with providers, including myself. Emergency shelters are routinely full

for both families and individuals. Entering a shelter means an individual must have the physical and financial ability to seek transportation, be able to physically carry their belongings to shelter, and wait to find an empty bed. Entering shelter on a normal day means showing up at a specific time in the middle of day, waiting for at least one hour to see if there is a vacancy, and doing the same thing all over again if there is no space. This alone is the single most discouraging factor for most of the unsheltered people I work with to seeking shelter. Shelter fees range from \$60 to \$100 per month. Clients of mine have been unable to pass breathalyzer tests and therefore have been unsheltered. Clients also discuss how they do not have the cash or the ability to complete chore requirements in the shelter. Shelters need to be low-barrier and easy to enter.^[1] Our service providers already need more support to assist with immediate transportation to shelter intake, rather than more reasons to force or coerce compliance, and banning individuals from public spaces.

1. The perceived success of enforcement is not because of ticketing, but because of outreach, transportation, and ease of shelter access.

I have participated as a service provider assisting the HPD community policing division with outreach for unsheltered individuals. Prior to the night policing event, shelters reserved spaces and coordinated to inform all providers what spaces were available that night. Outreach staff were able to offer an immediate shelter placement with free transportation, removing many of the barriers individuals face if they try to access a shelter in any other way. With this ease of access, roughly three times as many people indicated they wanted shelter as beds were available and most unsheltered were told to 'wait' and remain on the street. The need is for beds, shelter resources, free transportation, and outreach funds for over-worked providers, not a threat of banning from public spaces, tickets, fines, and expanded use of police forces and court time for taking care of tickets.

1. Ticketing and banning individuals from public spaces erodes trust, creates more problems, and shifts the burden to our already overcrowded jails and justice system.

Banning individuals from the spaces where they can be contacted, even during what are seen as 'off business hours' will hamper my ability to work and build trust with needy clients. Already I have extreme difficulty following up with unsheltered clients. Even clients on waitlists for shelters can suddenly disappear, as they miss court dates or are put in jail on a bench warrant for just sitting in Waikiki. While the Community Outreach Court is an attempt to deal with these tickets in a different manner, it is hard to place unsheltered individuals in this program. Those with past records are often disqualified

and therefore will be appearing in court for tickets they are unable to pay. **Just dealing with the criminal tickets makes it near impossible for me to work with many clients on their actual civil legal issues that would support long term housing stability, such as applying for social security, as their time is spent attending court and attempting to avoid bench warrants and jail.**

This policy also codifies in law the idea that some individuals are 'more worthy' of being in public spaces and should remain in only certain places. It is unbelievable in a state that literally makes money on welcoming tourist to come sit and lie in Waikiki, that we are contemplating a codified attempt to ban poor individuals from areas of the island and public trust land. This is particularly unconscionable when the majority of those who are unsheltered are Native Hawaiians, the indigenous people of this island.

1. My unsheltered clients are increasingly moving into neighborhoods.

As sitting in public parks and public parks means increasingly tickets and jail, many of my unsheltered clients who are unable to get into full shelters have resorted to moving into neighborhood areas. Again, banning people from public space does not solve problems, it just disappears the problem to other areas, and further spreads distrust. Expanding ticketing, fines, and jail time only exacerbates problems and creates more issues for hardworking front-line staff to address. Instead of supporting services to assist with permanent housing placement, more support services have been formed just to address the fines, tickets and problems associated with being routinely moved from public spaces.

I urge you to HOLD this bill. Do not expand a policy that is an ineffective use of our resources. Mahalo for the opportunity to testify IN OPPOSITION to these measures.

Deja Ostrowski, J.D.

LATE

Aloha mai e Chair Rhodes and Committee Members:

I am an attorney currently representing patients at a community health center in Waikiki with their civil legal needs. Most of my clients are unsheltered and are some of the individuals with highest medical, mental health, and legal needs; many are recently released from incarceration. I am submitting this testimony in **STRONG OPPOSITION** to SB637.

The policy changes proposed in here are ineffective and counterproductive to encouraging individuals to seek help and treatment. Rather than putting money toward desperately needed outreach, transportation, and housing support services, this bill continues a policy of isolating and driving away the most needy in our community. **This bill does not address the reasons many of my clients are unsheltered and in public spaces, and instead will temporarily 'disappear' the problem by forcing individuals out of public spaces and into private residential communities and jail.**

1. Shelters are routinely full and can be difficult to enter.

I cannot stress enough the difficulty currently in placing a client in shelter. Many if not all of my unsheltered clients would appreciate the opportunity to enter a shelter and are already working with providers, including myself. Emergency shelters are routinely full for both families and individuals. Entering a shelter means an individual must have the physical and financial ability to seek transportation, be able to physically carry their belongings to shelter, and wait to find an empty bed. Entering shelter on a normal day means showing up at a specific time in the middle of day, waiting for at least one hour to see if there is a vacancy, and doing the same thing all over again if there is no space. This alone is the single most discouraging factor for most of the unsheltered people I work with to seeking shelter. Shelter fees range from \$60 to \$100 per month. Clients of mine have been unable to pass breathalyzer tests and therefore have been unsheltered. Clients also discuss how they do not have the cash or the ability to complete chore requirements in the shelter. Shelters need to be low-barrier and easy to enter.¹ Our service providers already need more support to assist with immediate transportation to shelter intake, rather than more reasons to force or coerce compliance, and banning individuals from public spaces.

2. The perceived success of enforcement is not because of ticketing, but because of outreach, transportation, and ease of shelter access.

I have participated as a service provider assisting the HPD community policing division with outreach for unsheltered individuals. Prior to the night policing event, shelters reserved spaces and coordinated to inform all providers what spaces were available that night. Outreach staff were able to offer an immediate shelter placement with free transportation, removing many of the barriers individuals face if they try to access a shelter

¹ https://www.usich.gov/resources/uploads/asset_library/emergency-shelter-key-considerations.pdf

in any other way. With this ease of access, roughly three times as many people indicated they wanted shelter as beds were available and most unsheltered were told to 'wait' and remain on the street. The need is for beds, shelter resources, free transportation, and outreach funds for over-worked providers, not a threat of banning from public spaces, tickets, fines, and expanded use of police forces and court time for taking care of tickets.

3. Ticketing and banning individuals from public spaces erodes trust, creates more problems, and shifts the burden to our already overcrowded jails and justice system.

Banning individuals from the spaces where they can be contacted, even during what are seen as 'off business hours' will hamper my ability to work and build trust with needy clients. Already I have extreme difficulty following up with unsheltered clients. Even clients on waitlists for shelters can suddenly disappear, as they miss court dates or are put in jail on a bench warrant for just sitting in Waikiki. While the Community Outreach Court is an attempt to deal with these tickets in a different manner, it is hard to place unsheltered individuals in this program. Those with past records are often disqualified and therefore will be appearing in court for tickets they are unable to pay. **Just dealing with the criminal tickets makes it near impossible for me to work with many clients on their actual civil legal issues that would support long term housing stability, such as applying for social security, as their time is spent attending court and attempting to avoid bench warrants and jail.**

This policy also codifies in law the idea that some individuals are 'more worthy' of being in public spaces and should remain in only certain places. It is unbelievable in a state that literally makes money on welcoming tourist to come sit and lie in Waikiki, that we are contemplating a codified attempt to ban poor individuals from areas of the island and public trust land. This is particularly unconscionable when the majority of those who are unsheltered are Native Hawaiians, the indigenous people of this island.

4. My unsheltered clients are increasingly moving into neighborhoods.

As sitting in public parks and public parks means increasingly tickets and jail, many of my unsheltered clients who are unable to get into full shelters have resorted to moving into neighborhood areas. Again, banning people from public space does not solve problems, it just disappears the problem to other areas, and further spreads distrust. Expanding ticketing, fines, and jail time only exacerbates problems and creates more issues for hardworking front-line staff to address. Instead of supporting services to assist with permanent housing placement, more support services have been formed just to address the fines, tickets and problems associated with being routinely moved from public spaces.

I urge you to HOLD this bill. Do not expand a policy that is an ineffective use of our resources. Mahalo for the opportunity to testify IN OPPOSITION to these measures.

Deja Ostrowski, J.D.

LATE

SB-637

Submitted on: 2/19/2019 6:28:46 PM

Testimony for JDC on 2/20/2019 10:00:00 AM

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

Comments:

Vote to make Waikiki and Hawaii safe and what it used to be.

LATE

SB-637

Submitted on: 2/19/2019 6:37:56 PM

Testimony for JDC on 2/20/2019 10:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Allison Seales	Individual	Support	No

Comments:

2/20/19

LATE

Senate Bill 637 Three Strikes Ban for Waikiki

I strongly oppose SB 637 Three Strikes Ban for misdemeanors in Waikiki.

Although crime is high in Waikiki the “Three Strikes Ban” is not a good approach at all! What this will do is ban the individuals from one geographic location who in turn will just end up in another area. If you are going to target anyone it shouldn't be someone with three misdemeanors. I am very concerned that we will have police trying to enforce this measure on people who are not necessarily a threat to society. We need the police to concentrate on those who are violent offenders that are a true threat to our society. How will this be enforced? What will be considered Waikiki cut off area? Do we have police manpower to monitor and enforce this? Shouldn't OCCC be used for serious crime offenders?

I don't think this measure was thought through enough. You just cannot ban someone from a specific geographic area and have someone arrested. What this ban does is just move the problem from one area to another. Every neighborhood has their issues with crime, homeless, etc.. and banning them by using HPD to concentrate on one area just is NOT EFFICIENT and just won't work. Police manpower is shorthanded as it is and as a tax payer I do want HPD to focus on serious crime offenders that truly pose a threat to our society. What will happen is this kind of law will create an environment of turning non-violent offenders who may be forced to live elsewhere, work at lower paying jobs and afraid of police or anyone trying to offer help to better their lives. Hawaii will have a much higher crime rate if you pass this bill. These nonviolent individuals will be forced into more crime and violence because of irresponsible law making.

I want to clean up crime for all of Oahu not just Waikiki. Let's keep HPD on concentrating on those offenders who are a true threat to society rather than those with misdemeanors. I propose we work on programs for more mental health, organizations for mentoring young children, teens and young adults who need access to these organizations to help them stay on the right track to a successful life. We have to start at younger age in getting or recognizing these

children who need this type of attention. I donate monies to Big Brothers Big Sisters Organization who I think is an excellent in mentoring anyone who wants this and is helping all communities.

Let's help Waikiki and the whole State of Hawaii with a mcuh more responsible approach fighting crime for all of Oahu –not just Waikiki!!!

Thank you for listening to my testimony.

Lisa Anderson