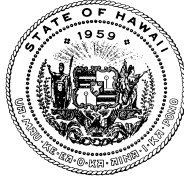


JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII'



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LATE

**Testimony COMMENTING on HCR115
REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF CLEAN AND
SOBER HOMES THAT ARE NOT REGISTERED UNDER THE CLEAN AND
SOBER HOMES REGISTRY.**

REPRESENTATIVE LISA MARTIN, CHAIR
HOUSE COMMITTEE ON HUMAN SERVICES

March 21, 2024, 9:30 AM Room Number: 329

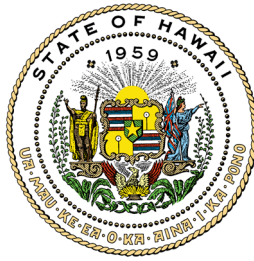
- 1 **Fiscal Implications:** Undetermined
- 2 **Department Position:** The Department provides comments and prefers the language in SCR 65.
- 3 **Department Testimony:** The Alcohol and Drug Abuse Division (ADAD) provides the
- 4 following testimony on behalf of the Department of Health (Department).
- 5 The resolution requests the audit of the clean and sober homes Registry (registry) and related
- 6 programs by the Auditor, and asks for a report including findings, recommendations, a list of
- 7 unregistered clean and sober homes, and any proposed legislation before the Regular Session of
- 8 2025.
- 9 It is not clear how an audit of the registry and related programs will identify unregistered clean
- 10 and sober homes.
- 11 The Department prefers language in a related measure (SCR 65) because it best clarifies the
- 12 current problem:
 - 13 • Alleged clean and sober homes that are noncompliant with county zoning regulations;
 - 14 • Concerns about the conduct and lack of neighborly behavior of alleged clean and
 - 15 sober home residents, including noise and parking;

- 1 • Concerns that homes not on the registry are overcrowded and not well-managed; and
- 2 • Concerns where alleged clean and sober home occupants continue to use alcohol and
- 3 drugs while seeking recovery.

4 The Department prefers SCR 65 because we wish to convene an informal workgroup similar to
5 the 2012 Clean and Sober Homes and Halfway Houses workgroup, whose report was
6 instrumental in the adoption of the current voluntary clean and sober homes registry (registry)
7 under Chapter 321-193.7, HRS. The 2012 workgroup was composed of representatives from
8 County planning departments, the Hawaii Paroling Authority, homelessness advocates, clean and
9 sober home and halfway house providers, legislators from the House and Senate, a legal
10 representative to address issues such as fair housing, mental health and substance abuse, as well
11 as representatives from the Judiciary and the Departments of Health, Human Services and Public
12 Safety.

13 Hawaii has limited options for clients to have a stable and safe environment in which to recover
14 from alcohol and/or drugs. The Department's voluntary registry currently has sixty-eight (68)
15 clean and sober homes statewide. If the Department offers outreach to unregistered homeowners
16 and operators on the current standards for these homes, by building trust they may want to join
17 and be part of the registry. An activated workgroup can also keep the Department aware in case
18 state or county enforcement is preferred, especially regarding criminal activity or nonconforming
19 land uses.

20 Thank you for the opportunity to testify on this measure.



HOUSE COMMITTEE ON HUMAN SERVICES
The Honorable Lisa Marten, Chair
The Honorable Terez Amato, Vice Chair

H.C.R. NO. 115, REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF CLEAN AND SOBER HOMES THAT ARE NOT REGISTERED UNDER THE CLEAN AND SOBER HOMES REGISTRY.

H.R. NO. 96, REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF CLEAN AND SOBER HOMES THAT ARE NOT REGISTERED UNDER THE CLEAN AND SOBER HOMES REGISTRY.

Hearing: Thursday, March 21, 2024, 9:30 a.m.

The Office of the Auditor offers the following comments on H.C.R. No. 115 and H.R. No. 96, requesting the Office of the Auditor to conduct an audit of clean and sober homes that are not registered under the Clean and Sober Homes Registry.

We appreciate the Legislature's intent to assess and investigate how many unregistered clean and sober homes are in operation; but note the information the resolution seeks to obtain is not an audit. The Office of the Auditor typically conducts performance audits which examine the efficiency and effectiveness of government programs or agencies. Performance audits focus on whether programs are attaining the objectives and results expected of them. We believe the more appropriate agency to compile a list of unregistered clean and sober homes may be the agency itself.

Thank you for considering our testimony related to H.C.R. No. 115 and H.R. No. 96.



HCR115 & HR96 Auditor to Audit Unregistered Clean and Sober Homes COMMITTEE ON HUMAN SERVICES

Rep. Lisa Marten, Chair

Rep. Terez Amato, Vice Chair

Thursday, Mar 21, 2024: 9:30: Room 325 Videoconference

HSAC Opposes HCR115 & HR96

ALOHA CHAIRS, VICE CHAIRS, AND DISTINGUISHED COMMITTEE MEMBERS. My name is Alan Johnson. I am the current chair of the Hawaii Substance Abuse Coalition (HSAC), a statewide organization for substance use disorder and co-occurring mental health disorder treatment and prevention agencies and recovery-oriented services.

We all want the community to feel safe as well as appreciate helping people who are working on their recovery to return to their families and get jobs.

Having an auditor inventory unregistered homes is a daunting task. Where do they start? There are no lists. It would take some resources to go find them and then what does one do about the list because these homes have the right to not be registered.

Instead, we urge your support for HCR178 and HR158.

These resolutions are the result of providers and DOH working together to address that some clean and sober homes are not behaving well.

- We don't want to violate ADA and Fair Housing Rules.
- The issue is that these homes are independently owned, and tenants pay their own rent as well as run their house democratically.

HCR178 and HR 158 is better because most clean and sober homes are independently operated and independently funded. Tracking them down will take considerable resources and time that includes both state and city governments.

HCR178/HR158, we believe, are best for going forward.

1. DOH to manage community complaints,
2. County to address permitting issues and or police issues as identified by DOH on complaint homes, and
3. Corrective actions for substantiated concerns are administered and monitored for compliance, and
4. State agencies and providers to refer elsewhere until a misbehaving home does corrective action.

This doesn't violate the U.S. Supreme Court rulings to protect clean and sober homes and something the DOH and County have talked about before for working together given the shortage of staffing and resources.

The HCR178 resolution carries more weight, however, the language in HR158 is better.

Federal precedence has created increasingly protective measures through ADA and Fair Housing to safeguard equal access to housing for people with disabilities that include recovering alcoholics as well as recovering drug addicts and those people who are involved in continuing professional rehabilitation and mentoring programs.

We appreciate the opportunity to provide testimony.

HCR-115

Submitted on: 3/20/2024 12:30:14 PM

Testimony for HUS on 3/21/2024 9:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Heather Lusk	Hawaii Health & Harm Reduction Center	Oppose	Written Testimony Only

Comments:

Aloha Chair , Vice Chair and Members of the Committee:

Please forgive my late testimony - this resolution will create additional barriers for people in recovery who need safe spaces to live and focus on healing from their substance use challenges. It is already very challenging to find affordable housing that supports people in their recovery, and this resolution will increase stigma for those who are wanting to not use drugs and other substances. Please find another way to address concerns - the DOH ADAD already has a clean and sober house registry which along with current laws gives the State the power to address concerns without creating more barriers to housing.

thank you for the opportunity to testify

Heather Lusk