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DEPARTMENT OF HUMAN SERVICES
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January 26, 2025

TO: The Honorable Representative Lisa Marten, Chair
House Committee on Human Services & Homelessness

FROM: Ryan I. Yamane, Director

SUBJECT: **HB 225 – RELATING TO SQUATTING.**

Hearing: January 28, 2025, 9:00 a.m.
Conference Room 329 & Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the measure, defers to the Department of the Attorney General and other named task force members, and provides comments. DHS will participate in the working group. However, DHS notes that its contracted outreach services have worked with law enforcement in the past when addressing individuals and families encamped on public lands. Outreach services aim to work with individuals to support their transition from unsheltered conditions to a homeless shelter or other available housing. To operate outreach efforts on private land, the consent of the private land owner would be required.

PURPOSE: Establishes a working group within the Department of the Attorney General to study the issue of squatting in Hawai'i and provide recommendations. Requires reports to the legislature.

Thank you for the opportunity to provide comments on this measure.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

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January 27, 2025

Committee on Human Services & Homelessness
Rep. Lisa Marten, Chair
Rep. Ikaika Olds, Vice Chair
415 South Beretania Street, Conf. Rm. 329
State Capital
Honolulu, HI 96813

LATE

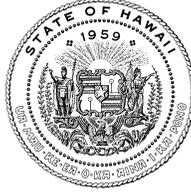
Re: Comment related to H.B. 225
Hearing: January 28, 2025, 9:00 AM

Dear Chair Marten, Vice Chair Olds and Committee Members:

This testimony is related to H.B. 225 which establishes a working group to address the issue of squatting in Hawaii. Multiple aspects of squatting involve law enforcement with criminal implications. As such, the Office of the Public Defender requests to be a member in the working group.

Thank you for taking these comments into consideration.

Sincerely,
/s/ Taryn Tomasa
Deputy Public Defender



EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

JOHN MIZUNO
DIRECTOR
STATEWIDE OFFICE ON HOMELESSNESS & HOUSING SOLUTIONS

Testimony of **John M. Mizuno**
Governor's Coordinator on Homelessness
Before the
**HOUSE COMMITTEE ON HUMAN SERVICES
& HOMELESSNESS**
Tuesday, January 28, 2025
9:00 a.m.
Conference Room 329, State Capitol

In consideration of
House Bill No. 225
RELATING TO HOUSING

Aloha Chair Marten, Vice Chair Olds, and Committee Members,

My name is John Mizuno. I am the Governor's Coordinator on Homelessness and the Director of the Statewide Office on Homelessness and Housing Solutions (SOHHS).

I am writing in support of **House Bill 225**, which will establish a working group within the Department of the Attorney General to study the issue of squatting in Hawaii and provide recommendations.

In the landmark case in Grants Pass v. Johnson, the United States Supreme Court ruled (6 to 3 votes) that Oregon's ban on homeless residents sleeping outdoors did not violate the Constitution's prohibition on cruel and unusual punishment. The measure penalizes sleeping and camping in public places, including sidewalks, streets, and city parks. I did want to recognize Justice Sonia Sotomayor, in her dissent, who wrote, "Sleep is a biological necessity, not a crime...For some people, sleeping outside is their only option."

The bill focuses on squatting on property when a property owner cannot be contacted or on vacant or abandoned property. We also concur that squatting presents a complex legal issue; therefore, we support the bill's intent to establish a working group to study this issue.

Thank you, Chair Marten, Vice Chair Olds, and Committee Members, for the opportunity to provide testimony in strong support of House Bill 431. I am grateful for your consideration of this important measure and look forward to its potential positive impact on our community.

Mahalo!

LATE

HB-225

Submitted on: 1/27/2025 3:19:47 PM

Testimony for HSH on 1/28/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Master Shelby "Pikachu" Billionaire	Kingdom Of The Hawaiian Islands	Oppose	Written Testimony Only

Comments:

House Bill No. 225 - "Let's Talk About Squatters, Shall We?"

Dear Members of the Hawaii House of Representatives,

I am writing to voice my vehement opposition to House Bill No. 225, which proposes the establishment of yet another working group to "study" the issue of squatting in Hawaii. This bill is not only redundant but a prime example of bureaucratic overreach that will squander public resources without providing any immediate relief or practical solutions to the problem at hand.

What's This Bill Even About?

- So, there's this thing called squatting, right? It's when folks just move into places they don't own because, you know, why not? This bill says, "Hey, that's a problem in Hawaii!"

Legislature's Brainstorm:

- They're like, "Squatting is complicated, and sometimes we can't even find the property owner to complain about it, so what do we do, huh?" They think forming a group to chat about it is the answer.

The Big Plan - A Working Group:

- They're setting up a "working group" to ponder over squatting. This group will be packed with big shots like the attorney general, police chiefs, and even some random folks from housing and tenant unions. Because, apparently, if you throw enough people at a problem, it might just solve itself.

What Will They Do?

- They'll define squatting, which I guess means they'll write down what everyone already knows.
- They'll look at all the ways squatting happens - like when houses are empty or when owners are playing hide and seek.
- Then they'll suggest ways to stop it, probably by saying, "Don't do that," or something equally groundbreaking.
- They'll also try to figure out how to clean up the mess squatting leaves in communities without just telling everyone to move.

The Squad:

- This working group is gonna be huge. It includes everyone from the governor's buddies to people who study housing. They'll meet, talk, maybe have some coffee, and then talk some more. And they won't get paid, but hey, they'll get their travel expenses covered because talking is hard work.

The End Game:

- They've got to give the legislature some reports. A "preliminary" one in 2026, which is basically saying, "Here's what we think so far, but don't hold us to it." Then a final one in 2027 where they'll probably say, "Here's what we think, for real this time."

The Punchline:

- This whole shebang ends in 2027. So, if they don't solve squatting by then, I guess we'll just have to start over or live with it.

Why This Bill is Misguided:

- **Unnecessary Committee:** We already have laws, enforcement agencies, and courts to deal with squatting. The creation of a new group to merely discuss what we already know is a waste of time and money. This isn't about understanding the issue; it's about action, which this bill delays.
- **Cost to Taxpayers:** The formation of this working group, with its broad membership, will undoubtedly incur significant costs from travel, meetings, and administrative support without directly benefiting those affected by squatting or resolving the issue swiftly.
- **Inefficiency:** The bill suggests a timeline that extends well beyond immediate action, with reports due in 2026 and 2027. Meanwhile, communities suffer from the ongoing effects of squatting, from property damage to public safety concerns.
- **Lack of Immediate Solutions:** Instead of empowering law enforcement or providing legal tools to address squatting now, this bill promotes endless discussion. We need solutions, not more bureaucracy.

A Better Approach:

- **Strengthen Existing Laws:** Amend current laws to make the eviction process faster and less cumbersome when squatting is clearly not a tenant right issue.
- **Empower Local Authorities:** Give law enforcement the clear authority to act on squatting complaints without the need for potentially absent property owners.
- **Public Education and Action:** Fund community education and support immediate, practical measures like property registries to ensure owners can be contacted or represented.
- **Technology Use:** Invest in technology that supports property security and monitoring to prevent squatting before it becomes a legal issue.

Conclusion:

- In summary, this bill is like saying, "Let's make a club to think about this issue we've known about forever but haven't really done much about." It's bureaucracy at its finest, where we'll form a committee to study forming another committee to deal with the problem. But hey, at least they get to claim they're doing something about it, right?
- H.B. No. 225 is an exercise in futility that will do nothing but delay the resolution of squatting issues in Hawaii. We need action, not another committee to discuss what we already know. I strongly urge you to vote against this bill and instead support legislation that provides tangible, immediate solutions to this pressing problem.

Thank you for your attention to this urgent matter.

Sincerely,

Master Shelby “Pikachu” Billionaire

Kingdom of The Hawaiian Islands, HRM

HB-225

Submitted on: 1/25/2025 12:24:10 PM

Testimony for HSH on 1/28/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

Tackling the issue of squatting is an often under-reported but crucial challenge many private and public property owners experience. Simply put, it is unacceptable that certain individuals should be able to improperly occupy someone else's property without the owner's permission. I appreciate the Committee taking up this matter and I encourage bolder and stronger action on this issue. Please pass this bill!

HB-225

Submitted on: 1/28/2025 9:57:22 AM

Testimony for HSH on 1/28/2025 9:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ellen Awai	Individual	Support	Written Testimony Only

Comments:

I support HB225, Squatting has been a problem in our island paradise far too long! Even Kekipi property on the Big Island has had problems for decades. Squatters are on land and when Lawyers like Carlsmith &..place the notice in the newspapers, where many people do not subscribe or do not wish to read what media has to say with their biased, negative and bought issues. It is only when older kupuna, who are no longer alive, had contacted us to clear contact the courts. The squatters win the case, because we cannot prove our genealogy to the Judge, especially when it goes back to Natives that had only a single name.

As the family genealogist for 40 years, I have done research and listened to the moololo of many older or longer genealogists and kupuna. Hawaiian tradition, or kapu, do not allow us to have names that do not belong in our family. Our names are specially given to us either through dreams or passed down through generations. Also, if we lived in an area for decades we were usually related whether it be in Kalihi or Kohala, where my father, Isaia John M. Kekipi had explained to me and we did not originally come from Kaneohe, but from Kohala, the beginning of Hawaiian or Polynesian civilization of the Ocean navigators from Tahiti or Samoa. Who were segregated by the missionaries when, although they had all 26 alphabet letters, the bigger Tahitians were given R,S,T, while the Hawaiians had the L, P, Ns???. This was taught at Kawaiahao Church to early church members. The smaller Hawaiians probably from the Marquesis Islands, and called themselves Menehune in Wainiha Valley, Kauai in late 1800s census, and were said to arrive by the 500s to our island group.

If Marco Polo traveled with the Chinese around the world in 1405 and 1435, (I've seen the maps displayed in a TV documentary by a Chinese Expert when a 7-mile manmade rock wall was discovered above San Francisco, and the only wall dated in the 1400s time period was the Great Wall of China.) then the islands were already mapped out by him and not discovered by Capt. Cook in 1778. Conquistador Magellan unable to acquire a Spanish crew goes to Portugal for boatbuilders and sailors, now realizes the world is no longer flat and crosses the Atlantic in search of a northern passage to the West Indies or Spice Isles. Thus the natives are called Indians and are being killed by Magellan in North and South America. But the recent evidence translated into English probably during covid or earlier, says that Magellan like Cook, was killed by the natives, or his own crew could have had a mutiny and murdered him, thus "Mutiny on the Bountry" film created. The natives account explains that Magellan never enters into the Pacific Ocean, although his Portuguese lead crew continues on, instead of returning and being charged for mutiny and murder. I was also told by genealogists, that there is evidence of Spanish

shipwrecks in the 1500s off Kauai, Maui, and the Island of Hawaii, thus darker and lighter skinned natives.

The 1820, arrival of Christian Missionaries on the Big Island, forseen by Hewahewa, the kahuna of Kamehameha I, who died in ds1829, created the problems of colonization. Thus they wanted the island of Maui with Lahaina for themselves, although Kamehameha had chosen it for his capitol. White foreigners who came on whaling ships and other ships made Lahaina their trading post bringing with them their vices, such as diseases, liquor, prostitution, and gambling that wiped out our natives and our relationships to each other and the lands. Also, the Hawaiians used the same term for siblings as did they did cousins, since many had the same fathers or mothers. Although they did the same in Europe marrying their own kin, but the natives were called the savages and heathens by these Anglosaxon Protestant groups. Thus, even my father in line as a kahuna and genealogist, the oldest in the family, was the one to tell people who they could and couldn't marry with the laws created by Westerners. In Lahaina before the fires I read the stories of the Chinese and having the agricultural knowledge from their own country started the fields here and Moon Yet Sen, the brother of Sun Yet Sen was called the King of Kula. Sun Yet Sen and his mother was brought to Hawaii by his brother, educated in what is now Iolani School created by a Kamehameha son, III or IV, and created the Chinese Revolution with the contributions of the local Chinese families of \$1/family.

So many reasons why the U.S. needed Hawaii, the monopoly in the Pacific Ocean, under them. 1) stop the spread of the Chinese and "communism", although they wanted opium from China but was created in Europe, 2) stop the Spanish American War in the Philippines, they created in the Caribbean, 3) need for the gold and funding of our islands, since our monarchy was the first to travel the world, instead of going to silver standard in 1893 with the collapse of Wall St. 4) create White advancement here, by doing a 1920 eugenics study in Molokai with the Louis Sullivan Collection displayed about 3 years ago at the Bishop Museum. 5) Stop Japan, an ally to Germany, who knew that the U.S. was the real cause of Hitler's invasion, but claimed they were no longer part of Europe. There are so many reasons why we were needed by the U.S. but we just need to change our mindset as locals and not listen to all the institutions that have dominated in our Western culture to our island nation! The Kingdom of Hawaii always existed and never ceased!