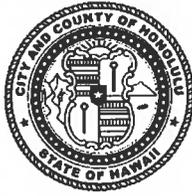


HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU

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DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **HR-JK**

February 7, 2025

The Honorable David A. Tarnas, Chair
and Members
Committee on Judiciary and Hawaiian
Affairs
House of Representatives
415 South Beretania Street, Room 325
Honolulu, Hawai'i 96813

Dear Chair Tarnas and Members:

SUBJECT: House Bill No. 538, Relating to Safe Entryways

I am Acting Major Henry Roberts of District 1 (Central Honolulu), Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly supports House Bill No. 538, Relating to Safe Entryways. This bill aims to enhance public safety by ensuring clear access to essential spaces, such as businesses and residential areas, while also reducing obstruction and potential hazards.

The proposed bill aligns with the United States Supreme Court ruling in *City of Grants Pass v. Johnson*, 603 U.S. 520 (2024), that emphasized the need to balance public safety with individual rights. The court affirmed that cities have the authority to regulate public spaces in a way that does not violate constitutional rights as long as shelter is available. The HPD's current procedures for handling personal property and enforcing the sit-lie ordinance already follow the framework established in *Grants Pass*, ensuring that we uphold these constitutional protections.

This bill addresses a gap in our current laws, providing clear authority for law enforcement to act when doorways are obstructed, all the while respecting both public safety and individual rights.

The Honorable David A. Tarnas, Chair
and Members
February 7, 2025
Page 2

The HPD urges you to support House Bill No. 538, Relating to Safe Entryways. We appreciate your consideration of this important bill and look forward to continuing our efforts to ensure safer, more accessible public spaces for all.

Thank you for the opportunity to testify.

Sincerely,



Henry Roberts, Acting Major
District 1

APPROVED:



AK Arthur J. Logan
Chief of Police

HB-538

Submitted on: 2/5/2025 12:24:14 AM

Testimony for JHA on 2/7/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Gregory Misakian	Individual	Support	Remotely Via Zoom

Comments:

I support HB538.

Gregory Misakian

HB-538

Submitted on: 2/5/2025 11:22:54 AM

Testimony for JHA on 2/7/2025 2:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Danielle Smith	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill that proposes the criminilization of residing in public doorways and entryways. I believe that there are more preventative measure that need to be proposed and executed before redirect the police department resources to people who are lingering. This would be an unnecessary task for an officer on duty to regulate the actions of someone who is houseless, and risk engaging in an altercation. It would be a better idea to consult those who are working to provide services and meet the needs of people who are houseless to learn about how to reduce the number of people on the streets and to create safer space for these people to sleep during the day and night. This bill does not offer any solutions to this problem of blocking public entryways.

Mahalo for taking my comments into consideration.

HB-538

Submitted on: 2/5/2025 9:11:22 PM

Testimony for JHA on 2/7/2025 2:05:00 PM

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

Comments:

Aloha Committee Members,

It is absolutely imperative that we reclaim our public spaces. Beyond the concern surrounding homelessness, there are too many individuals who take extreme advantage of public tolerance and sympathy and make our public spaces unsafe.

I urge this Committee to SUPPORT reclaiming our public spaces by SUPPORTING this bill!

February 6, 2025

Testimony in Support of HB538

From Betsy Kawamura, Honolulu, Hawaii

“Prohibit individuals from residing in a doorway or surrounding area of certain places. Gives county police departments primary authority to enforce the prohibition.”

The following paragraphs are in support of HB538 regarding homeless around doorway entrances. I have been a resident of 1670 Kalakaua Avenue for over 2 years now, returning back to the USA after some time away. Since my arrival back in Honolulu and after purchasing my simpler condo on 1670 Kalakaua Avenue, I have noticed **much problems** with our front entrance for our building ‘Kalakaua Sands’, and right across the street on 1649 Kalakaua Avenue in front of Joun Flower House business entrance, a very small Korean owned flower shop. We have had **persistent** homeless squatting/occupying on both front doors literally right in front of our apartment and businesses day and night, often left with trash, human excrement, graffiti and shopping carts which we as private residents have to clear up, unfortunately. They often sit on the stops and doorways with **no intention** of using the buses, or the businesses and at times leave graffiti and food/drink debris soiling the benches and grounds, which are **seldom** cleaned unfortunately. The concrete grounds around the entrances are very grimy/dirty as a result. We have no choice but as private residents to clean up after them at our time and expenses which can involve clearing human waste which is a **biohazard**, especially considering the larger Kupuna population in our area and sensitivities after COVID.

As small time/private stores and apartment building dwellers, *we do NOT have the monies/resources to clean up after the homeless, especially as they tend to use our front areas as latrines.* We can not afford full time property managers or building managers. Thus, we are unfairly burdened to clean up after them every time they occupy/squat on our front door entrances. The Joun Flower Shop manager told me several times that she had to bleach and disinfect her store front on daily basis for a while when there was a persistent Caucasian homeless woman insisting to squat/overnight right on the bus stop bench in front of her store entrance. She also frequently squatted in front of 1670 Kalākaua right across the street where I reside, leaving trash/graffiti and using our area as a latrine in our building parking lot.

Ikaika Olds, Scott Nishimoto, Ian Ross, Paul Robbotti and Ed Case are all familiar with my reaching out to HPD, CORE and other agencies to *very regularly* ask for removal of homeless on 1649 Kalakaua door way, 1670 Kalakaua and on intersection of S. King and

Kalakaua. We have brought this persistent homelessness squatting including on Makiki Stream up to neighborhood board meetings various times ad nauseum.

There is an additional problem of **shopping carts** that are parked around these store fronts, residences often abandoned . Paul Robbotti and I have personally contacted Don Quijote to address abandoned shopping cars and asked for a strategic action plan to solve the situation. I have not heard anything concrete from them regarding a valid strategic management plan on this, despite my *repeated* requests from last year, unfortunately.

As a resident of a neighborhood filled with many Kupuna and many Asians from Korea, China and Japan *who do not have English as their first language*, it becomes a really unpleasant pressure and serious frustration to constantly have to call HPD/CORE and other entities to have the homeless removed from our front entrances. The vast majority seem to have some significant mental illness and therefore it is *not* safe for us as ordinary individuals to approach them at all. The Quality of Life in this area can be haphazard at times and we feel that this area is a kind of *DIY – Do it yourself – area* when it comes to creating life quality and protection from homelessness and declining infrastructure, etc.. This is really unfortunate. There is a *clear disadvantage* of being in a less wealthy area here, compared to newer high end developments in Kakaako, buildings closer to Ala Moana shopping center, Kahala, etc where residential property managers are hired to protect their areas.

We ask for you to please kindly consider these points above to pass and implement HB 538 to intervene with homeless occupying/squatting/residing around entrances. *This problem is not only in our McCully neighborhood but also Oahu-wide of course and can be of great value.* As our home insurance and maintenance costs rise, they become higher sources of extreme frustration adding to our HOA costs/rent/maintenance to try to keep the areas in front of our private residences clean. This is exacerbated by the homeless frequently digging through the **large rubbish bins set up by the bus stop** benches, with the rubbish strewn out by them, which we as private residence and business owners have to clean. This is *not* sustainable and very unfair to us as ordinary smaller time private residences/businesses. We do not have the resources to have on-site professional building management. Even the Korean business manager who oversees 1649 Kalakaua Ave and adjacent businesses told me about the homeless forcibly going through their trash bins and leaving human waste right by the bus stops in front of their stores.

Thank you very much for your time and concern. Under increasing housing costs, maintenance and HOA insurance costs, this bill is really direly needed, as we literally have bus stops right in front of our resident apartment buildings front doors and small

businesses with no protection who cannot afford full time business managers to guard our properties.