

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

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OUR REFERENCE RP-TS

February 12, 2025

The Honorable Luke A. Evslin, Chair
and Members
Committee on Housing
House of Representatives
415 South Beretania Street, Room 430
Honolulu, Hawaii 96813

Dear Chair Evslin and Members:

SUBJECT: House Bill No. 709, Relating to Trespassing

I am Major Randall Platt of District 3 ('Aiea/Pearl City/Waipahu) of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes House Bill No. 709, Relating to Trespassing, for several reasons. First, the bill requires enforcing officers to verify that the person submitting the complaint is the record owner of the real property or authorized agent of the owner. This would involve an in-depth search of records and documents that are not regularly available to officers in the field. Furthermore, determining that the unauthorized person or persons are not current or former tenants pursuant to a written or oral rental agreement authorized by the property owner and determining if there are ongoing or pending litigation cases require an in-depth investigation into matters that are civil in nature and are not under the purview of criminal law enforcement entities.

Second, the bill suggests that officers shall be paid for their services which implies this activity would be done by off-duty law enforcement officers. This would not be in the best interest of the HPD as these officers would not be supervised and acting alone without departmental resources.

Lastly, to ensure the proposed bill requirements are met, the HPD would have to develop, maintain, and staff a separate team of officers just to meet the requirements of document verification and all other checks required to enforce this bill. The Sheriffs Division of the State Department of Law Enforcement currently conducts evictions and would be better suited to enforce this type of law. Excluding the HPD as an enforcement entity for this bill is recommended.

The Honorable Luke A. Evslin, Chair
and Members
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The HPD urges you to oppose House Bill No. 709, Relating to Trespassing.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to be 'R. Platt', written over a horizontal line.

Randall Platt, Major
District 3

APPROVED:



Arthur J. Logan
Chief of Police



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 1259 A'ala Street, Suite 300
Honolulu, HI 96817

February 12, 2025

The Honorable Luke A. Evslin, Chair

House Committee on Housing
State Capitol, Conference Room 430 & Videoconference

RE: House Bill 709, Relating to Trespassing

HEARING: Wednesday, February 12, 2025, at 9:00 a.m.

Aloha Chair Evslin, Vice Chair Miyake, and Members of the Committee:

My name is Lyndsey Garcia, Director of Advocacy, testifying on behalf of the Hawai'i Association of REALTORS® ("HAR"), the voice of real estate in Hawaii and its over 10,000 members. HAR **supports** House Bill 709 which establishes a limited alternative process to remove unauthorized persons from residential real property.

Squatting occurs when an unlawful occupant resides in an abandoned, vacant, or unoccupied property. During this time, squatters can cause significant property damage or engage in activities that pose safety risks to property owners, real estate professionals, and the surrounding community.¹ In some cases, squatters have even presented fraudulent rental agreements, forcing property owners and real estate professionals into a lengthy and costly eviction process. As such, we believe this measure can help address the challenges posed by squatting in our communities.

Mahalo for the opportunity to provide testimony on this measure.

¹ Miller, Ashley. (August 23, 2024). Civil Beat. Honolulu Struggles to Find a Remedy for Abandoned Homes Taken by Squatters. <https://www.civilbeat.org/2024/08/honolulu-struggles-to-find-a-remedy-for-abandoned-homes-taken-over-by-squatters/>



Feb. 12, 2025, 9 a.m.
Hawaii State Capitol
Conference Room 430 and Videoconference

To: House Committee on Housing
Rep. Luke A. Evslin, Chair
Rep. Tyson K. Miyake, Vice Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF HB709 — RELATING TO TRESPASSING

Aloha Chair Evslin, Vice Chair Miyake and other members of the Committee,

The Grassroot Institute of Hawaii **supports** [HB709](#), which would establish a procedure for removing unlawful occupants, otherwise known as squatters, from residential real property.

Squatting is more than just trespassing. It occurs when a person occupies another's property without any legal claim and without the consent or permission from the owner.

This bill is needed because trespassing is a criminal offense, but removing squatters is treated as a landlord-tenant dispute. However, squatters are not actually tenants and have no incentive to cooperate, making landlord-tenant laws an ineffective way to approach the problem.

In addition, the civil process of eviction can be expensive and time-consuming, so property owners can be locked out of their own homes for months or years while trying to remove an unlawful occupant.

In the meantime, the unlawful tenant can cause damage to the property or accumulate utility bills and other costs that will fall onto the property owner.

In Hawaii, squatters can cause problems for the community by [trashing](#) the property or using it as a base for criminality, making this an issue of public safety in addition to one of property rights. For example,

neighborhood watch groups on Hawaii Island [appealed](#) a few years ago to local lawmakers for help in reducing squatting after seeing an increase in criminal behavior from squatters — including assault and drug trafficking.

Other states facing similar problems have turned to legislation such as the bill you are considering today, HB709, in order to streamline the removal process for unlawful occupants.

According to a recent [report](#) from the Pacific Legal Foundation, the time required to remove unlawful tenants in Georgia, which adopted such a law in April 2024, has dropped from an average of eight months to less than two weeks

The PLF report noted that as of May 2024, Alabama, California, Florida, Georgia, Nevada, Tennessee, Washington and West Virginia had passed laws that criminalize squatting, while 11 other states have introduced bills to do so.

Grassroot recommends that Hawaii pass such a law as well. HB709 would not only reaffirm property rights, but also enable the counties to more quickly deal with the health and safety concerns posed by criminal trespassing and squatting.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii