

**REPORT & RECOMMENDATIONS**

# **DECRIMINALIZING HOUSELESSNESS IN HAWAI‘I**

**ACLU**  
Hawai‘i

**Decriminalizing Houselessness in Hawai'i** is a report by Asha DuMonthier by request for the ACLU of Hawai'i.

### Acknowledgements

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Two reports were especially helpful resources: *Housing Not Handcuffs 2019: Ending the Criminalization of Homelessness in U.S. Cities* (National Center on Homelessness & Poverty, 2019), and *The Effects of City Sweeps and Sit-Lie Policies on Honolulu's Houseless* (Department of Urban and Regional Planning, University of Hawai'i at Manoa, 2015).

### Author Positionality Statement

As a person who has not experienced houselessness, has had limited interactions with the criminal legal system, and who is not from Hawai'i, my perspective and knowledge about the main topic of this report—decriminalization of houselessness in Hawai'i—is limited to what I have learned through study and personal relationship-building. I volunteered on a weekly basis in March and April 2021 with Hui Aloha, a “volunteer-driven effort to call all of us back to Aloha — a sense of ‘oneness’ and inclusive community.” Through this experience, I spoke regularly with individuals who are unhoused or have experienced houselessness in Hawai'i. My perspective is that of a listener and observer. The contents of this report reflect my best efforts to collect and analyze quantitative and qualitative information about the criminalization of houselessness and local thinkers' perspectives on opportunities for change.

### Language In This Report

The term Native Hawaiians is used in this report to refer to Kānaka 'Ōiwi, the people indigenous to the Hawaiian Islands. The terms “houselessness,” “houseless,” and “unhoused” are used in this report instead of “homelessness” or “homeless,” to respect the wishes of Native Hawaiians who have self-identified as houseless and described the term “homeless” as degrading.<sup>1</sup>

### Methodology

To identify potential areas for reinvestment of public resources, the author conducted a literature review on numerous policy options that could be utilized to expand access to houselessness services as well as to decriminalize houselessness in Hawai'i. In addition, the author conducted qualitative semi-structured interviews with 20 individuals with subject-matter expertise on houselessness in Hawai'i, including government officials, service providers, and individuals who have experienced houselessness. The author analyzed publicly available county-level Operating Budgets for FY 2019, 2020, and 2021 for each of the four Hawai'i counties to calculate the allocation for police services and reviewed documents obtained through public records requests to analyze data on sweeps in Honolulu.

The author conducted this study as part of the program of professional education at the Goldman School of Public Policy, University of California at Berkeley. This paper is submitted in partial fulfillment of the course requirements for the Master of Public Policy degree. The judgments and conclusions are solely those of the author, and are not necessarily endorsed by the Goldman School of Public Policy, by the University of California or by any other agency.

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<sup>1</sup> Amy Cherry, “Spirit behind Hawaiian ‘houseless’ Village Could Be Solution to Homelessness in Delaware, across US,” WDEL, August 15, 2019, [https://www.wdel.com/news/spirit-behind-hawaiian-houseless-village-could-be-solution-to-homelessness-in-delaware-across-us/article\\_8c065110-bf84-11e9-8935-6b3117738d56.html](https://www.wdel.com/news/spirit-behind-hawaiian-houseless-village-could-be-solution-to-homelessness-in-delaware-across-us/article_8c065110-bf84-11e9-8935-6b3117738d56.html).

# EXECUTIVE SUMMARY

Hawai'i has one of the highest rates of houselessness in the United States, with Native Hawaiians and Pacific Islanders composing the largest group of unhoused residents. Rather than focus on the root causes of this racialized crisis, public officials have treated houselessness as a crime, tasking local police departments with sweeping, citing, and arresting unhoused individuals at alarming rates. As a result, far too many people experiencing houselessness in Hawai'i have harmful interactions with the police instead of or before getting access to housing and mental health services. The efforts of public officials to rebrand these sweeps—whether using Orwellian terms like “compassionate disruption” or simply offensive terms like “sanitation outreach”—do nothing to change the illegal, unconstitutional, and counterproductive nature of these actions.

The criminalization of houselessness is costing the public. Millions of taxpayer dollars are spent each year on police sweeps and other enforcement actions that are wholly ineffective at reducing, let alone ending, houselessness. Meanwhile, there is an acute shortage of permanent housing support—the top service need reported by unhoused individuals. In relying on policing to respond to houselessness, Hawai'i policymakers are missing an opportunity to use public resources in ways that could meet the needs of the unhoused, as well as those of the broader community.

This report presents pathways for Hawai'i to decriminalize houselessness and invest in solutions that promote racial equity. These pathways are informed by interviews with service providers, government officials, community activists, and individuals who have experienced houselessness, as well as from data and documents acquired through Uniform Information Practices Act (UIPA) Records Requests.

## Pathways to decriminalize houselessness

### Divest from...

- Enforcement of laws that criminalize houselessness
- Policing as the primary government response to houselessness

### Invest in...

- Community-building both within unhoused communities and between housed and unhoused communities.
- Alternatives to policing that meet the needs of the unhoused population and keep all community members safe.
- Supportive services to assist those experiencing houselessness.
- Housing that is affordable to extremely low-income families and individuals.<sup>2</sup>

<sup>2</sup> The FY 2014 Continuing Appropriations Act defines Extremely Low-Income Families as very low-income families whose incomes do not exceed the greater of 30 percent of the median family income for the area or the federal poverty guidelines as published by the Department of Health and Human Services. See <https://www.huduser.gov/portal/datasets/il/il19/IncomeLimitsMethodology-FY19.pdf>.

## Why it's worth it

With the resources spent on:	Honolulu could:
One police officer <sup>3</sup>	Provide housing and supportive services vouchers to 4 households plus save \$46,000 in healthcare and criminal justice system costs.
Sweeps of houseless communities <sup>4</sup>	Acquire and preserve 26 units of unsubsidized affordable housing.
Honolulu Police Department's HELP detail <sup>5</sup>	Provide housing and supportive services to 38 households plus save \$436,848 in healthcare and criminal justice costs.
5% of HPD's annual budget (\$15.6 million)	Lease 502 new units to offer permanent supportive housing plus generate \$28 million in healthcare savings.
10% of HPD's annual budget (\$31.2 million)	Build and operate 105 units of permanent supportive housing plus generate \$5.8 million in healthcare savings.
The City and HPD's POST/HONU program (\$6 million) <sup>6</sup>	Create two Kauhale <sup>7</sup> villages that could house about 100 people.

3 This estimate of the public cost of a police officer (\$115,291) reflects the Honolulu Police Department's Operating Budget in FY 2021 divided by total department FTE and does not include expenses from FICA, pensions, workers' compensation, benefits, or overtime. Kaua'i County is the only county in Hawai'i to publish department-level data on employee benefits and overtime. In Kaua'i, the police department's operating budget divided by FTE is \$162,158—a higher and more accurate estimate of the public cost of a police officer than is available in any other county.

4 In 2014, Hawai'i News reported that sweeps cost Honolulu about \$15,000 per day. Using a conservative approach (that assumes the daily costs of enforcement have not risen since 2014), sweeps cost the county at least \$4.8 million in 2020.

5 According to the FY 2020 County budget, \$949,000 was added to HPD's budget for the HELP program for 10 positions, current expenses, and equipment. See [http://www4.honolulu.gov/docushare/dsweb/Get/Document-235412/FINAL\\_BBook\\_Operating\\_FY20\\_2019-03\\_01\\_v1\\_OPTIMIZED.pdf](http://www4.honolulu.gov/docushare/dsweb/Get/Document-235412/FINAL_BBook_Operating_FY20_2019-03_01_v1_OPTIMIZED.pdf).

6 HONU/POST is a three-year, \$6 million program funded by the state and run by the Honolulu Police Department and Department of Community Services.

7 Kauhale is a Hawaiian term for a village or group of homes. In recent years, houseless leaders and policymakers have collaborated to create Kauhale that consist of permanent, supportive housing that allow groups of individuals or families experiencing housing insecurity to live communally. The Lt. Governor of the State of Hawai'i has a Kauhale Initiative that includes plans to create 12 Kauhale across the state.

# SUMMARY OF RECOMMENDATIONS:

**Repeal, defund, and stop enforcing laws that criminalize houselessness (i.e. stop sweeps)**—Anti-houselessness laws do nothing to stem the flow of entry into houselessness, and their enforcement is costly, harmful, and counterproductive.

**Prioritize community-building and cultural change**—Counties should listen to houseless community leaders to co-create solutions to housing insecurity. Supporting community-building, self-governance, and public dialogue between housed and unhoused communities can help create a more positive and humane culture regarding houselessness that allows for sustainable solutions.

**Create mobile crisis response services that are autonomous from police, accessible to the public, and accountable to the community**—Non-armed mobile crisis response teams can respond to and support individuals experiencing behavioral health crises, such as houselessness, instead of police.

**Expand Housing First and wraparound services**—Housing First and wraparound services are the two most effective supportive services currently offered by the counties, according to experts. The biggest hurdle to them being effective is the magnitude of need.

**Grow the inventory of housing that is affordable to extremely low-income residents**—The shortage of housing that is affordable to extremely low-income households is a driver of houselessness and a major barrier to houseless individuals reaching stability. Counties can play a role in growing the inventory through property acquisition, community land trusts, and incentivizing development.

**Strengthen tenant protections**—Tenant protections like just cause, rent control, prohibitions on housing discrimination, right to counsel, and right of first refusal can help prevent housing loss before it happens and protect vulnerable renters.

**Increase the minimum wage**—Raising the minimum wage to a living wage can reduce housing insecurity and help prevent housing loss.

By making these investments and enhancements of residents' rights, Hawai'i can reduce harmful interactions between police and unhoused residents, better meet the needs of unhoused and housed communities, reduce racial and ethnic disparities in houselessness, and end the criminalization of poverty.

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# INTRODUCTION

*“Respect alike (the rights of) men great and humble; See to it that our aged, our women, and our children lie down to sleep by the roadside without fear of harm.”*

—King Kamehameha I

Ke Kānāwai Māmalahoe, the law of the splintered paddle, was the first written law of the Kingdom of Hawai‘i, following the unification of the islands under King Kamehameha I. The law was originally intended to ensure that the people of the land could move freely everywhere that was under his control—essentially the entire archipelago at that time.<sup>8</sup> A symbol of the law—two crossed paddles—now adorns the Honolulu Police Department’s logo, echoing Article 9, Section 10 of the state constitution, which describes the law as “a unique and living symbol of the State’s concern for public safety.”

The fact that the logo of the local police department is based on a law that protects the right of Native Hawaiians to sleep by the roadside without fear of harm is ironic, to say the least.

Native Hawaiians have long composed the largest group of houseless residents of Hawai‘i—a legacy of the illegal annexation of Hawai‘i by the United States, over a century of political and economic disenfranchisement of Native Hawaiians, and an inadequate attempt at reparations through the Hawaiian Homes Commission Act of 1921.<sup>9</sup> As of this writing, a

persistent affordable housing shortage has made houselessness increasingly widespread and visible across the state.

In response to the growing visibility of houselessness, the City and County of Honolulu, under former Mayor Kirk Caldwell, decreed a “war on homelessness” and began passing anti-houseless measures in 2014.<sup>10</sup> These laws have effectively made it a crime to be unhoused. The Honolulu Police Department has been charged with enforcement, making thousands of citations and arrests of houseless individuals for engaging in behaviors required for their survival, such as sitting, lying down, or going to the bathroom. Meanwhile, there is not currently enough permanent housing support to meet the needs of the houseless community.

This report presents evidence that the criminalization of houselessness does not help end houselessness, but instead worsens the problem. It causes irreparable harm to houseless individuals, wastes public resources, dehumanizes those experiencing houselessness in the eyes of the public, and directly undermines the government’s investments in housing and supportive services. As such, millions of taxpayer dollars are wasted each year on a strategy that is ineffective and damaging. Criminalization of houselessness also deepens racial and

<sup>8</sup> Hawai‘i Legal Auxiliary, “The Law of the Splintered Paddle Kānāwai Māmalahoe,” 1994, <http://www.hawaii.edu/uhelp/files/LawOfTheSplinteredPaddle.pdf>.

<sup>9</sup> Hawai‘i Legal Auxiliary, “The Law of the Splintered Paddle Kānāwai Māmalahoe,” 1994, <http://www.hawaii.edu/uhelp/files/LawOfTheSplinteredPaddle.pdf>.

<sup>10</sup> There are four counties in the state of Hawai‘i: the City and County of Honolulu, the County of Maui, the County of Hawai‘i and the County of Kaua‘i. There are no other municipalities.

ethnic disparities, disproportionately harming houseless Native Hawaiians and Pacific Islanders.

This report begins by identifying a problem—that too many unsheltered people experiencing houselessness in Hawai‘i have harmful interactions with the police. These interactions are occurring instead of (or before) unsheltered people get access to housing and mental health services. Part 1 of the report provides an overview of the houseless services system and the criminalization of houselessness, focusing on Honolulu. Part 2 of the report presents findings from interviews with houseless individuals, government officials, service providers, and other experts to highlight what is working and what is not, particularly in the county-level response to houselessness. Building off the divest/invest approach developed by racial justice advocates around the country,<sup>11</sup> Parts 3 and 4 of the report offer an analysis of current public spending, along with specific proposals for divesting from criminalization and investing in solutions to houselessness that promote racial equity.

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<sup>11</sup> Divest/invest strategies (sometimes referred to as invest/divest) reallocate resources from corrections and law enforcement towards community-driven solutions to public safety and health. Marbre Stahly-Butts of Law for Black Lives and Funders for Justice Field Advisor explains: "... we pay special attention to how money is being spent, and we demand a divestment from the systems that harm our communities, like the criminal legal system, like policing regimes, like the court system, and demand that money that's currently being spent, that's being poured into those systems with no accountability, be moved instead to community-based alternative systems that support our people, that feed our people, that ensure we have jobs, and housing — the things we need to take care of ourselves and our communities." Source: Funders for Justice, "What Is Divest/Invest?," Divest/Invest: From Criminalization to Thriving Communities, accessed April 28, 2021, <https://divest-ffj.org/>.



# PART 1: PROBLEM OVERVIEW

## Houselessness in Hawai‘i

Hawai‘i has long been one of the states with the highest rates of houselessness per capita in the country, with 45 out of every 10,000 residents experiencing houselessness in the state.<sup>12</sup> In 2020, there were about 6,500 people experiencing houselessness, statewide.<sup>13</sup> On O‘ahu, the most populous island, about 53% of the unhoused population was unsheltered, meaning that they lived on the street, or another place not intended for sleeping accommodation, rather than in shelter. Across the neighbor islands, about 65% of the unhoused population was unsheltered. Certain groups of people are disproportionately represented among the unsheltered—Native Hawaiian, Pacific Islander, and Black folks, gender and sexual minorities, individuals with disabilities, veterans, survivors of domestic violence, and men, are overrepresented.<sup>14</sup> For example, Native Hawaiian and Pacific Islanders compose 10% of the population of O‘ahu, but 31% of the houseless population.

The unhoused population in Hawai‘i is likely to grow in the wake of the COVID-19 pandemic. Even before the start of the pandemic, one quarter of households in Hawai‘i were at risk of being forced out of their homes after two months or less of sustained income loss.<sup>15</sup> By February 2021, one year into the pandemic, 62% of Hawai‘i residents surveyed reported that it was very or somewhat

likely that they would leave their home due to eviction in the next two months.<sup>16</sup>

The magnitude of the unhoused population and the growing vulnerability of Hawai‘i residents to houselessness is indicative of systemic drivers of houselessness including an affordable housing shortage and low wages. More than half of Hawai‘i renters do not live in affordable housing, meaning that their housing costs consume 30% or more of household income.<sup>17</sup> Extremely low-income residents are in an especially dire situation, often spending more than half of household income on rent.<sup>18</sup>

Persistently low wages in Hawai‘i are a driving factor in the mismatch between people’s incomes and housing costs.<sup>19</sup> The minimum wage in the state is \$10.10 and the average renter in Hawai‘i earns \$17 per hour, even though a living wage in Hawai‘i is \$20.61.<sup>20</sup> Working full-time, the average renter’s wages come to \$2,720 in monthly earnings. Meanwhile, the average 2-bedroom costs \$2,015—almost three quarters of the average renters’ monthly wages. In sum, average renters’ earnings are meager compared to housing costs. Rising income inequality, a stagnant minimum wage, and housing development that has focused on high-end units that are unaffordable to most local residents<sup>21</sup> have created an environment in which residents are too often at risk of losing their housing.

12 Meghan Henry et al., “The 2019 Annual Homeless Assessment Report (AHAR) to Congress” (The U.S. Department of Housing and Urban Development, January 2020), <https://www.huduser.gov/portal/sites/default/files/pdf/2019-AHAR-Part-1.pdf>.

13 The 2020 Point in Time Count on O‘ahu counted 4,448 individuals experiencing homelessness. The 2020 Point in Time Count on the neighbor islands counted 2,010 individuals experiencing homelessness. These figures are based on one-night Point in Time counts, and therefore underestimates the number of people who experience houselessness over the course of the year. Sources: Partners In Care, “2020 O‘ahu Point in Time Count” (2020), <https://www.partnersincareoahu.org/pit-reports>; Ka Mana O Na Helu, “Bridging the Gap Homeless Point-in-Time Count” (Bridging the Gap, May 2020), [https://www.btghawaii.org/media/uploads/2020\\_btg\\_pit\\_count\\_report\\_final\\_-\\_5.6.20.pdf](https://www.btghawaii.org/media/uploads/2020_btg_pit_count_report_final_-_5.6.20.pdf).

14 Partners In Care, “2020 O‘ahu Point in Time Count” (Partners In Care, 2020), <https://www.partnersincareoahu.org/pit-reports>.

15 SMS Research & Marketing Services, Inc., “Hawai‘i Housing Planning Study, 2019” (Hawai‘i Housing Finance and Development Corporation, December 2019), [https://dbedt.hawaii.gov/hhfdc/files/2020/01/FINAL-State\\_Hawaii-Housing-Planning-Study.pdf](https://dbedt.hawaii.gov/hhfdc/files/2020/01/FINAL-State_Hawaii-Housing-Planning-Study.pdf).

16 U.S. Census Bureau Household Pulse Survey, Week 24, “Housing Table 3b. Likelihood of Having to Leave This House in Next Two Months Due to Eviction, by Select Characteristics: Hawaii” (February 24, 2021), <https://www.census.gov/data/tables/2021/demo/hhp/hhp24.html>.

17 U.S. Census Bureau, “Table DP04: Selected Housing Characteristics,” 2019: ACS 1-Year Estimates Data Profiles, 2021, <https://data.census.gov/cedsci/table?q=Hawaii%20gross%20median%20rent&tid=ACSD-P1Y2019.DP04&hidePreview=false>.

18 Hawai‘i Appleseed Center for Law and Economic Justice, “Hawai‘i’s Affordable Housing Crisis” (Hawai‘i Appleseed Center for Law and Economic Justice, July 2014), <https://hiappleseed.org/publications/hawaii-affordable-housing-crisis/>.

19 United for ALICE, “ALICE in Hawai‘i: A Financial Hardship Study” (Aloha United Way, 2020), <https://www.unitedforalice.org/Hawaii>.

20 MIT, “Living Wage Calculation for Honolulu County, Hawaii,” Living Wage Calculator, accessed April 4, 2021, <https://livingwage.mit.edu/counties/15003>.

21 SMS Research & Marketing Services, Inc., “Hawai‘i Housing Planning Study, 2019” (Hawai‘i Housing Finance and Development Corporation, December 2019), [https://dbedt.hawaii.gov/hhfdc/files/2020/01/FINAL-State\\_Hawaii-Housing-Planning-Study.pdf](https://dbedt.hawaii.gov/hhfdc/files/2020/01/FINAL-State_Hawaii-Housing-Planning-Study.pdf).

## Criminalization of Houselessness

As the unhoused population has become increasingly visible in Hawai'i, policing has become the county governments' primary response. Police departments are tasked with enforcing anti-houselessness policies, responding to complaints about houseless individuals, and are actively involved in most county and state houselessness initiatives. However, police departments are ill-equipped to connect those in need with supportive services such as housing and mental health care services. Furthermore, police interactions with unhoused individuals often have a series of deleterious impacts, increasing the likelihood that individuals are penalized for their lack of housing through the criminal justice system, deteriorating trust between unhoused communities and housing and mental health service providers, and reducing the likelihood that unhoused individuals eventually do secure stable housing. Policymakers' reliance on policing to respond to houselessness is therefore counterproductive and creates a missed opportunity to use public resources to meet the needs of unhoused individuals and families.

In this report, the "criminalization of houselessness" refers to the processes by which being houseless has been made into a crime in Hawai'i. These include the creation and enforcement of policies at the state and county level that prohibit conduct performed primarily by unhoused people, such as sleeping, sitting or lying down in public spaces, or living in vehicles in public space.<sup>22</sup> This report will focus on the impacts of how police officers, whose responsibility it is to prevent, detect, and investigate crimes, have become first responders to houselessness and play leading roles in government initiatives to provide supportive services to unhoused individuals and communities, a role for which police are largely untrained and which would be more effectively provided by social workers and other similarly trained professionals.

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22 Tristia Bauman, "Housing Not Handcuffs 2019: Ending the Criminalization of Homelessness in U.S. Cities" (National Center on Homelessness & Poverty, December 2019), <https://nlchp.org/housing-not-handcuffs/>.

## Honolulu is criminalizing houselessness.

In 2014 former Mayor Kirk Caldwell declared a "war on homelessness," initiating a series of laws that have effectively made being unhoused a crime in Honolulu. Since then, the City has passed increasingly comprehensive and punitive ordinances that allow the city to use police force against those living on the streets, including the Sidewalk Nuisance Ordinance, the Stored Property Ordinance, Urination/Defecation bans, and a series of Sit-Lie bans that make it illegal to sit or lie down in Waikīkī and parts of 17 other neighborhoods.<sup>23</sup> Meanwhile, park closure rules make it a crime for unhoused individuals to sleep in city parks at night or have tents in parks at any time, often leaving individuals without access to shelter no options but to violate sit-lie bans.<sup>24</sup> These policies have earned Honolulu a place in the National Law Center on Homelessness and Poverty's "hall of shame" - one of four cities across the country that has aggressively enforced criminalization laws in a particularly harmful way.<sup>25</sup> Under Mayor Rick Blangiardi, there has been a sharp increase in citations related to these policies.<sup>26</sup>

The mechanisms by which the Honolulu Police Department enforces anti-houselessness policies range from unplanned interaction with unhoused individuals during daily patrols, to formal sweeps. The latter, officially called "enforcement actions", are planned events run by the Department of Facility Maintenance (DFM) in coordination with the Honolulu Police Department (HPD) in which city officials seize and impound or destroy unhoused persons' property under authority of

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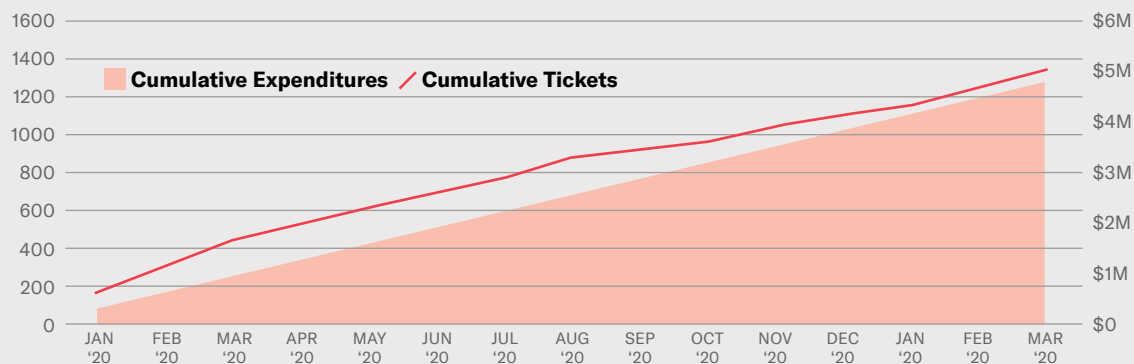
23 Christina Jedra, "No Rest For The Homeless: Bill Would Ban Sitting Almost Anywhere On Oahu," Honolulu Civil Beat, October 22, 2020, <https://www.civilbeat.org/2020/10/no-rest-for-the-homeless-bill-would-ban-sitting-almost-anywhere-on-oahu/>.

24 Revised Ordinances of Honolulu ("ROH") § 10-1.1 et seq. And ROH § 10-1.2(b)(9).

25 Tristia Bauman, "Housing Not Handcuffs: Ending the Criminalization of Homelessness in U.S. Cities" (National Law Center on Homelessness & Poverty, 2018), <https://nlchp.org/wp-content/uploads/2018/10/Housing-Not-Handcuffs.pdf>.

26 Mizuo, Ashley. "Mayor Rick Blangiardi's Homelessness Strategy for Honolulu Falls Flat | Honolulu Star-Advertiser." Honolulu Star-Advertiser, September 14, 2021. <https://www.staradvertiser.com/2021/09/14/hawaii-news/mayor-rick-blangiardis-homelessness-strategy-for-honolulu-falls-flat/>.

**Figure 1: As Sweeps Continue, City Expenditures and Tickets Rise, January 2020-March 2021**



Note: "Tickets" includes SNO and SPO tickets issued during enforcement actions in Honolulu.

Source: Data on tickets are from documents from the City and County of Honolulu obtained through a PIRA request. Expenditures are based on a conservative estimate that sweeps cost the city about \$15,000 per day, a figure offered by a former Director and Chief Engineer of the Department of Facility Maintenance in 2014, reported by Hawai'i News Now.

the Sidewalk Nuisance Ordinance and Stored Property Ordinance. These sweeps involve DFM officials roping off areas in which houseless communities reside and seizing any property that residents were not able to carry away prior to the sweep and impounding or discarding those belongings.<sup>27</sup> It is illegal for the city to throw away people's belongings during sweeps, but houseless individuals report that the practice is still common.<sup>28</sup> HPD officers detain any individuals who attempt to cross the roped off areas without authorization.

One purported goal of sweeps is to encourage houseless people to enter shelters so that they can receive services. However, sweeps are devastating for residents whose belongings are seized or destroyed, having negative economic, physical, psychological impacts that can actually prevent individuals from securing housing. In fact, in a survey of unhoused individuals who had experienced sweeps, only 11% stated that they were more able or likely to seek shelter after a sweep.<sup>29</sup> Meanwhile, national evidence indicates

that sweeps are ineffective at reducing visible houselessness—the other main purported purpose of sweeps.<sup>30</sup>

Sweeps are counterproductive and harmful in the following ways:

- *Involvement with the penal system sets people back.* – Police often fine, cite, and arrest unhoused individuals during sweeps (Figure 1).<sup>31</sup> Getting fined, cited, and/or arrested is costly and further diminishes unhoused individuals' economic security, and consequently, the likelihood of attaining housing.
- *Losing property and identification diminishes economic stability.* – It is common for various means of identification to be lost, confiscated, and/or discarded by City officials during sweeps.<sup>32</sup> Losing identification can make it nearly impossible to get a job or attain housing and once lost, it can be costly and time-consuming to replace, requiring access to technology, mailing fees, payment to notaries, a postal address, and transportation to government offices.

27 Those who wish to retrieve impounded belongings must pay a \$200 fee or obtain a waiver by completing a lengthy application process.

28 ACLU Hawai'i, "Legal Notice: Property Lost during Honolulu Homeless Sweeps," ACLU Hawai'i, September 6, 2016, <https://www.acluhi.org/en/legal-notice-property-lost-during-honolulu-homeless-sweeps>.

29 Tai Dunson-Strane and Sarah Soakai, "The Effects of City Sweeps and Sit-Lie Policies on Honolulu's Houseless" (Department of Urban and Regional Planning, University of Hawai'i at Manoa, 2015), [http://blog.hawaii.edu/durp/files/2015/06/Houseless-Honolulu-Report.small\\_.pdf](http://blog.hawaii.edu/durp/files/2015/06/Houseless-Honolulu-Report.small_.pdf).

30 Ibid.

31 Ibid.

32 Ibid.

- *Physical and psychological harm diminishes well-being.* – Sweeps often cause victims significant physical stress and psychological harm, compounding the trauma that many experience while living on the streets.<sup>33</sup>
- *Unhoused individuals are pushed away from services.* – When unhoused residents are forced to move away from encampments and urban areas, they are often forced to relocate into residential areas, which can reduce their chance of receiving supportive services.<sup>34</sup> Sweeps frequently disrupt the relationships that outreach workers have built with residents and that residents have built with each other, undermining the goal of connecting houseless individuals to services.<sup>35</sup>

In addition to formal sweeps, police enforce Honolulu’s anti-houselessness policies during beat patrols and in response to complaints about unhoused individuals from the public. Police officers enforce anti-houselessness measures by warning, citing, and arresting unhoused individuals.

In 2020 following the start of the COVID-19 pandemic, there is evidence that Honolulu Police Department increased the frequency of citations to people experiencing houselessness, despite national guidelines from the CDC to do the opposite.<sup>36</sup> The Honolulu Star Advertiser reported that in June of 2020, police officers issued 4,277 citations related to houselessness in Honolulu.<sup>37</sup> In

2021, the practice of enforcing anti-houselessness policies continues, with 3,833 citations issued between April and June of 2021.

Since many unhoused individuals find it difficult or impossible to respond to court summons, it is common for unhoused individuals to be arrested and incarcerated for missing court dates, which can lead to additional fines, fees, and barriers to accessing housing.<sup>38</sup> Of the 6,591 people who were admitted into the state of Hawaii’s jails in 2020, 37.5% of them (2,474) reported being unsheltered.<sup>39</sup> Further research analyzing 911 calls, warnings, citations, and arrests are required to estimate the full costs of informal sweeps to taxpayers.

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33 Ibid.

34 Deja Ostrowski, “Testimony: Bill 51 and 52: August 29 2018; 1:00pm” (City and County of Honolulu: Committee on Public Works, Infrastructure and Sustainability, n.d.), [https://honolulu.granicus.com/MetaViewer.php?view\\_id=3&clip\\_id=797&meta\\_id=60515](https://honolulu.granicus.com/MetaViewer.php?view_id=3&clip_id=797&meta_id=60515).

35 Tristia Bauman, “Housing Not Handcuffs 2019: Ending the Criminalization of Homelessness in U.S. Cities” (National Center on Homelessness & Poverty, December 2019), <https://nlchp.org/housing-not-handcuffs/>.

36 Centers for Disease Control and Prevention, “Interim Guidance on Unsheltered Homelessness and Coronavirus Disease 2019 (COVID-19) for Homeless Service Providers and Local Officials,” Centers for Disease Control and Prevention, February 11, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html>; Mark Willingham, Sophie Gralapp, and John P. Barile, “Law Enforcement Assisted Diversion Honolulu 2-Year Program Evaluation Report” (Department of Psychology, University of Hawai‘i at Mānoa, October 1, 2020).

37 Mizuo, Ashley. “Mayor Rick Blangiardi’s Homelessness Strategy for Honolulu Falls Flat | Honolulu Star-Advertiser.” Honolulu Star-Advertiser, September 14, 2021. [https://www.staradvertiser.com/2021/09/14/hawaii-news/mayor-rick-blangiardis-homelessness-strategy-for-honolu-](https://www.staradvertiser.com/2021/09/14/hawaii-news/mayor-rick-blangiardis-homelessness-strategy-for-honolulu-falls-flat/)

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[lu-falls-flat/](#).

38 Meg O’Connor, “Honolulu Police Keep Putting Homeless People in Jail,” The Appeal, May 28, 2020, <https://theappeal.org/honolulu-police-criminalization-homelessness-coronavirus-pandemic/>.

39 Data from the Department of Public Safety’s Intake Services Division regarding 2020 statewide jail admissions.

## Honolulu's anti-houselessness policies

- **Sit-Lie bans:** Prohibits sitting and lying down in specific areas in Waikīkī and 17 other neighborhoods. Imposes \$1000 fine or up to 30 days in jail for a petty misdemeanor; up to 30 days in jail for non-payment; up to 6 months of probation.
- **Sidewalk Nuisance Ordinance:** Prohibits any object or collection of objects kept or operated on or over any sidewalk in all parts of O'ahu. Imposes a \$200 fee for the city's cost of removal, storage and handling.
- **Stored Property Ordinance:** Prohibits stored personal property on public property in pedestrian zones and in city parks after closing in all parts of O'ahu.
- **Urination/Defecation bans:** Prohibits urinating or defecating in public spaces in Waikīkī and in all other parts of O'ahu except the downtown-Chinatown area, which is covered by state law. Imposes a \$1000 fine or up to 30 days in jail for a petty misdemeanor; up to 30 days in jail for nonpayment; up to 6 months of probation.
- **Park closures:** Prohibits individuals from being present in parks during closing hours.
- **Park tent bans:** Prohibits individuals from creating any kind of shelter without a permit.

Source: Adapted from Tai Dunson-Strane and Sarah Soakai, "The Effects of City Sweeps and Sit-Lie Policies on Honolulu's Houseless" (Department of Urban and Regional Planning, University of Hawai'i at Mānoa, 2015), [http://blog.hawaii.edu/durp/files/2015/06/Houseless-Honolulu-Report.small\\_.pdf](http://blog.hawaii.edu/durp/files/2015/06/Houseless-Honolulu-Report.small_.pdf).

## Criminalization comes with a cost.

Enforcement of Honolulu's anti-houselessness policies costs taxpayers millions of dollars each year. In FY 2020, the Department of Facility Maintenance carried out 1,634 sweeps over the course of 320 days, an average of more than 5 sweeps per day.<sup>40</sup> In 2014, Hawai'i News Now reported that sweeps cost the city about \$15,000 per day.<sup>41</sup> Using a conservative approach (that assumes the daily costs of enforcement have not risen since 2014), sweeps cost the city at least \$4.8 million in 2020.

Beyond sweeps, daily enforcement is also costly in terms of police time. In 2017 Honolulu Police Captain Mike Lambert reported that police in his district were overwhelmed with houselessness-related complaints, receiving 30-40 calls each day, each of which take at least 30 minutes to respond to.<sup>42</sup> In addition to police staff time, the criminalization of the unhoused creates a slew of additional costs to taxpayers related to processing citations, making arrests, court-appearance related costs such as judges, court officers, and public defenders, and incarcerating individuals.

While this report focuses on county-level responses to houselessness, the state also regularly conducts sweeps of houseless individuals living on state land. In 2020, for example, \$7 million in state funds were budgeted for conducting sweeps.<sup>43</sup>

<sup>40</sup> Figures from the City and County of Honolulu obtained through a PIRA request.

<sup>41</sup> Mileka Lincoln, "City of Honolulu Spends Nearly \$2M Enforcing Sidewalk Ordinances," <https://www.hawaii.newsnow.com>, July 22, 2014, <https://www.hawaii.newsnow.com/story/26001698/city-of-honolulu-spends-nearly-2m-enforcing-sidewalk-ordinances>.

<sup>42</sup> Natanya Friedheim, "Honolulu Police Try Building More Trust With The Homeless," Honolulu Civil Beat, December 27, 2017, <https://www.civilbeat.org/2017/12/honolulu-police-try-building-more-trust-with-the-homeless/>.

<sup>43</sup> Christina Jedra, "Hawaii Increases Funding For Homeless Sweeps," Honolulu Civil Beat, June 27, 2020, <https://www.civilbeat.org/2020/06/hawaii-increases-funding-for-homeless-sweeps/>.



**Table 1**

<b>STRUCTURAL drivers of houselessness:</b>	<b>INDIVIDUAL drivers of houselessness:</b>
<p>Legacies of colonization, racism, and white supremacy</p> <p>Lack of affordable housing</p> <p>Income inequality</p> <p>Unemployment</p> <p>Inadequate social safety net supports</p> <p>Racism</p>	<p>Low income</p> <p>Mental and physical health issues</p> <p>Lack of education</p> <p>Veteran Status</p> <p>Domestic violence</p> <p>Disability status</p>

Adapted from John Barile, Anna Pruitt, and Josie Parker, "Identifying and Understanding Gaps in Services for Adults Experiencing Homelessness," *Journal of Community & Applied Social Psychology* 30 (September 9, 2019), <https://doi.org/10.1002/casp.2440>.

**Criminalization fails to address the causes of houselessness, and instead worsens the problem.**

Enforcement of Honolulu’s anti-houselessness policies results in displacing and usually temporarily relocating people to different public spaces. Such laws do not solve houselessness, or even reduce visible houselessness within a given area in the long-term.<sup>44</sup> In fact, there is evidence that sweeps can lead to more houseless encampments and complaints from the public.<sup>45</sup> This is because criminalization does not address the leading causes of houselessness, such as high costs of living, income inequality, or lack of affordable housing (Table 1). To the contrary, citations, arrests, and convictions create added barriers to unhoused individuals obtaining housing, employment, and financial security.<sup>46</sup> In addition, sweeps disconnect people who are unsheltered from service providers who know where they are and have built up relationships

44 Tristia Bauman, "Housing Not Handcuffs 2019: Ending the Criminalization of Homelessness in U.S. Cities" (National Center on Homelessness & Poverty, December 2019), <https://nlchp.org/housing-not-handcuffs/>.

45 Eric S. Tars, "Tent City, USA: The Growth of America’s Homeless Encampments and How Communities Are Responding" (The National Center on Homelessness & Poverty, 2017), [https://nlchp.org/wp-content/uploads/2018/10/Tent\\_City\\_USA\\_2017.pdf](https://nlchp.org/wp-content/uploads/2018/10/Tent_City_USA_2017.pdf).

46 Tristia Bauman, "Housing Not Handcuffs 2019: Ending the Criminalization of Homelessness in U.S. Cities" (National Center on Homelessness & Poverty, December 2019), <https://nlchp.org/housing-not-handcuffs/>.

with them. Therefore, policies that criminalize houselessness in Hawai’i actually undermine the government’s investments in housing and supportive services.

**Criminalization harms public health.**

The criminalization of houselessness harms public health. Displacing people who have nowhere to keep their belongings, clean themselves, or discard waste, puts these individuals as well as the entire community at risk.<sup>47</sup> In recognition of this fact, the Centers for Disease Control and Prevention released guidance for service providers and local officials during the COVID-19 pandemic, urging officials to halt sweeps and ensure nearby restroom facilities remain open 24 hours per day to people experiencing homelessness.<sup>48</sup> In direct opposition to these guidelines, which are intended to reduce spread of the disease, Honolulu closed park restrooms on March 23, 2020 and they remained closed until, under significant public pressure, the City agreed to open the bathrooms

47 Tristia Bauman, "Housing Not Handcuffs 2019: Ending the Criminalization of Homelessness in U.S. Cities" (National Center on Homelessness & Poverty, December 2019), <https://nlchp.org/housing-not-handcuffs/>.

48 Centers for Disease Control and Prevention, "Interim Guidance on Unsheltered Homelessness and Coronavirus Disease 2019 (COVID-19) for Homeless Service Providers and Local Officials," Centers for Disease Control and Prevention, March 23, 2021, <https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html>.

on the condition of a group of houseless leaders cleaning the bathrooms themselves.<sup>49</sup> Honolulu also continued regular sweeps throughout the pandemic (Figure 1). In fact, several members of the group of houseless volunteers who were regularly cleaning public restroom facilities were cited and sent to jail for outstanding park/sidewalk citations.<sup>50</sup> These sweeps continue in Honolulu today, although they are sometimes referred to by city officials as “sanitation efforts.”<sup>51</sup>

### **Criminalization deepens racial and ethnic disparities.**

The negative effects of the criminalization of houselessness fall most heavily on the shoulders of those that tend to be disproportionately represented among the unhoused and overpoliced. Native Hawaiian and Pacific Islanders, including those who have origins in any of the original peoples of Hawai‘i, Guam, Samoa, Micronesia, or other Pacific Islands, make up the largest percentage of unhoused individuals in Honolulu and are significantly disproportionately represented among the unhoused in comparison to their share of the general population.<sup>52</sup> Blacks are also disproportionately represented among the unhoused. At the same time, there is evidence that Black, Native Hawaiian and Pacific Islander communities experience force at the hands of the police at higher rates than other Hawai‘i residents.<sup>53</sup>

Racial and ethnic disparities in houselessness and policing mean that Native Hawaiians and Blacks are more likely to be criminalized by Honolulu’s anti-houselessness policies than other racial and ethnic groups. Recent evidence supports this point. During the first three months of the

49 Hui Aloha, “Bathroom Brigades Keep the Community Safe During Pandemic,” Hui Aloha, July 1, 2020, <https://www.huialoha.org/post/bathroom-brigades-keep-the-community-safe-during-pandemic>.

50 Ibid.

51 Mizuo, Ashley. “Mayor Rick Blangiardi’s Homelessness Strategy for Honolulu Falls Flat | Honolulu Star-Advertiser.” Honolulu Star-Advertiser, September 14, 2021. <https://www.staradvertiser.com/2021/09/14/hawaii-news/mayor-rick-blangiardis-homelessness-strategy-for-honolulu-falls-flat/>.

52 Partners In Care, “2020 O’ahu Point in Time Count” (Partners In Care, 2020), <https://www.partnersincareoahu.org/pit-reports>.

53 Anita Hofschneider, “HPD Chief Says There’s Less Racial Bias In Hawaii. She’s Wrong,” Honolulu Civil Beat, June 29, 2020, <https://www.civilbeat.org/2020/06/what-implicit-bias-looks-like-in-hawaii/>.

COVID-19 pandemic, Honolulu police officers arrested Micronesians, Blacks, and Samoans for violating the COVID-19 stay-at-home orders at far higher rates than their representation in the general population.<sup>54</sup> Houseless individuals were also disproportionately represented among those arrested, and additionally were often charged with infractions related to the City’s anti-houselessness policies.

As discussed above, criminalization reduces unhoused individuals’ access to housing, employment, and financial security, thereby deepening systemic inequities experienced by Native Hawaiians and Blacks and creating a reinforcing problem cycle (Figure 2).

**Figure 2: Criminalization deepens racial inequities and housing insecurity**



### **Honolulu’s anti-houselessness policies may be illegal**

Since Honolulu’s anti-houselessness policies target houseless individuals, they may violate the equal protection clause of the 14th amendment. Also, in 2019, a U.S. Supreme Court decision affirmed that it is unconstitutional to punish houseless people for sleeping in public if there aren’t enough shelter beds to accommodate them because it violates the Eighth Amendment.<sup>55</sup> Honolulu’s shelter beds fall far short of being able to accommodate the city’s

54 Ashley Mizuo, “Racial Disparities Emerge In HPD Enforcement Of Stay-At-Home Violations,” Hawaii Public Radio, June 29, 2020, <https://www.hawaiipublicradio.org/post/racial-disparities-emerge-hpd-enforcement-stay-home-violations>.

55 Jedra, “Honolulu Homeless Sweeps Will Continue Despite Supreme Court Decision,” Honolulu Civil Beat, December 17, 2019, <https://www.civilbeat.org/2019/12/honolulu-homeless-sweeps-will-continue-despite-supreme-court-decision/>.

unhoused population.<sup>56</sup> However, city officials have argued that the court opinion does not prevent the city from enforcing its criminalization policies because enforcement occurs in one neighborhood at a time, rather than across the entirety of Honolulu at once.<sup>57</sup>

## The Houselessness Services Landscape

There are a number of state and local initiatives that aim to connect unhoused individuals with supportive services that are intended to help them secure and maintain stable housing. The state houselessness service system in Hawai'i is coordinated by two Continuum of Care (CoC) agencies: Partners in Care on O'ahu and Bridging the Gap on the neighbor islands. CoCs are regional or local planning bodies that coordinate housing and services funding for houseless families and individuals. They are responsible for tracking houselessness, operating the Homeless Management Information System (HMIS) to collect data on the provision of housing and services to the houseless, coordinating the implementation of local service systems, and applying for funds from the U.S. Department of Housing and Urban Development (HUD).<sup>58</sup>

The CoCs oversee the Coordinated Entry System, which is mandated by HUD and prioritizes assistance to unhoused individuals and families based on vulnerability and severity of service needs.<sup>59</sup> Across the Coordinated Entry System in Hawai'i, service providers use the Vulnerability Index and Service Prioritization Decision Assistance Tool (VI-SPDAT) to assess individuals' needs. Each individual who enters the houselessness services system is assessed

56 State of Hawaii Homelessness Initiative, "Daily Emergency Shelter Vacancy," Hawaii.gov, 2021, <https://homelessness.hawaii.gov/daily-emergency-shelter-vacancy/>.

57 Christina Jedra, "Honolulu Homeless Sweeps Will Continue Despite Supreme Court Decision," Honolulu Civil Beat, December 17, 2019, <https://www.civilbeat.org/2019/12/honolulu-homeless-sweeps-will-continue-despite-supreme-court-decision/>.

58 HUD Exchange, "What Is a Continuum of Care?," HUD Exchange, 2014, <https://www.hudexchange.info/faqs/programs/continuum-of-care-coc-program/program-administration/general/what-is-a-continuum-of-care/>.

59 HUD Exchange, "Coordinated Entry Policy Brief" (U.S. Department of Housing and Urban Development, 2015), <https://files.hudexchange.info/resources/documents/Coordinated-Entry-Policy-Brief.pdf>.

and assigned a VI-SPDAT score, which indicates their vulnerability according to indicators such as history of houselessness, substance use, and more. Individuals with higher scores are prioritized for more comprehensive services and are placed into services as they become available.<sup>60</sup>

## Types of Services

Houselessness services generally fall into 6 categories: permanent housing, transitional housing, shelter, supportive services, outreach, and prevention.<sup>61</sup>

- **Permanent housing (PH)** is defined as community-based housing without a designated length of stay in which formerly houseless individuals and families live as independently as possible. Under PH, a program participant must be the tenant on a lease (or sublease) for an initial term of at least one year that is renewable and is terminable only for cause. Further, leases (or subleases) must be renewable for a minimum term of one month.
- **Permanent supportive housing** is permanent housing with indefinite leasing or rental assistance paired with supportive services to assist houseless persons with a disability or families with an adult or child member with a disability achieve housing stability. In 2020, there were 2,554 permanent supportive housing beds across the state.<sup>62</sup>
- **Rapid re-housing (RRH)** emphasizes housing search and relocation services and short- and medium-term rental assistance to move unhoused persons and families (with or without a disability) as rapidly as possible into permanent housing. In 2020, there were 1,190 units

60 Anna S. Pruitt and Jack Barile, "Service Pathways of Homelessness Service Utilizers on O'ahu, 2016-2020" (University of Hawai'i at Mānoa, December 7, 2020), [https://www.honolulu.gov/rep/site/ohou/eVersion\\_Service\\_Pathways\\_2020\\_Report\\_Final\\_Full\\_12\\_29\\_20.pdf](https://www.honolulu.gov/rep/site/ohou/eVersion_Service_Pathways_2020_Report_Final_Full_12_29_20.pdf).

61 U.S. Department of Housing and Urban Development, "Continuum of Care (CoC) Program Eligibility Requirements," HUD Exchange, accessed April 4, 2021, <https://www.hudexchange.info/programs/coc/coc-program-eligibility-requirements/>.

62 State of Hawaii Homelessness Initiative, "Data," Hawaii.gov, accessed April 27, 2021, <https://homelessness.hawaii.gov/data/>.



of rapid rehousing resources across the state.<sup>63</sup>

- **Transitional housing** is designed to provide unhoused individuals and families with the interim stability and support to successfully move to and maintain permanent housing. Transitional housing may be used to cover the costs of up to 24 months of housing with accompanying supportive services. Program participants must have a lease (or sublease) or occupancy agreement in place when residing in transitional housing. In 2020, there were 1,287 units of transitional shelter across the state.<sup>64</sup>
- **Shelter**
  - **Emergency shelters** are facilities with the primary purpose of providing a temporary shelter for the unhoused in general or for specific populations of the unhoused and which do not require occupants to sign leases or occupancy agreements. In 2020, there were 2,101 Emergency Shelter & Safe Haven beds across the state.<sup>65</sup>
- **Supportive Services** provide services to houseless individuals and families not residing in housing operated by the service provider.
- **Outreach** is conducted with sheltered and unsheltered houseless persons and families in order to link clients with housing or other necessary services and provide ongoing support.
- **Homelessness Prevention** assistance for those at risk of homelessness includes housing relocation and stabilization services as well as short- and medium-term rental assistance to prevent an individual or family from becoming unhoused. Homelessness prevention can help individuals and families at-risk of homelessness to maintain their existing housing or transition to new permanent housing.

63 Ibid.

64 Ibid.

65 Ibid.

## Adequacy of Services

According to one report on homelessness services utilization on O‘ahu, the population of individuals and families that utilized homelessness services in 2020 roughly reflected the racial breakdown of individuals experiencing homelessness.<sup>66</sup> However, Native Hawaiian and Pacific Islanders were under-represented in permanent supportive housing programs. One quarter of all individuals in contact with the system were in the process of assessment, awaiting placement into services. Among those who were receiving services, the most common direct service was homelessness prevention (in which families with children were overrepresented), followed by outreach. The report authors recommended extensive investment in permanent supportive housing programs for single adults with disabling conditions as well as rapid rehousing and homelessness prevention assistance for single adults who may be at-risk for homelessness or are newly houseless.

According to a state report to the legislature in 2021, the number of beds to address homelessness across Hawai‘i has increased over time.<sup>67</sup> Between 2015 and 2019, permanent beds—which include rapid rehousing and permanent supportive housing—increased by 167%. Despite the increase in permanent housing inventory, however, the number of unsheltered individuals on O‘ahu also increased, exacerbating unmet demand. Additionally, many shelters have rules and requirements that restrict who can stay in shelter beds (some only accept families, others do not allow pets, many have time restrictions on length of stay, etc.) Therefore, available beds do not necessarily represent options available to unsheltered individuals.

66 Anna S. Pruitt and Jack Barile, “Service Pathways of Homelessness Service Utilizers on O‘ahu, 2016-2020” (University of Hawai‘i at Mānoa, December 7, 2020), [https://www.honolulu.gov/rep/site/ohou/eVersion\\_Service\\_Pathways\\_2020\\_Report\\_Final\\_Full\\_12\\_29\\_20.pdf](https://www.honolulu.gov/rep/site/ohou/eVersion_Service_Pathways_2020_Report_Final_Full_12_29_20.pdf).

67 Hawai‘i Interagency Council on Homelessness, “Reports to the Thirty-First Hawa‘i State Legislature 2021 In Accordance with the Provisions of Section 346-381(9), Hawai‘i Revised Statutes, on the Hawaii Interagency Council on Homelessness And Part I, Act 209, Session Laws of Hawai‘i 2018, Related to the ‘Ohana Zones Pilot Program” (Governor’s Coordinator on Homelessness, Department of Human Services, December 2021), [https://homelessness.hawaii.gov/wp-content/uploads/2021/01/FINAL\\_section-346-381-Part-I-Act-209-2018\\_GCH-signed.pdf](https://homelessness.hawaii.gov/wp-content/uploads/2021/01/FINAL_section-346-381-Part-I-Act-209-2018_GCH-signed.pdf).

## Funding for Services

In fiscal year 2021, the Hawai'i Interagency Council on Homelessness reported that core houseless programs across the state received:

- \$20 million in federal funds from the U.S. Department of Housing and Urban Development (HUD), the majority of which were spent on permanent supportive housing (Figure 3).
- \$33 million in state funds, which were spent primarily on emergency shelter, prevention, and outreach.
- \$9 million in county funds, which were primarily spent on permanent supportive housing and emergency shelter.<sup>68</sup>

The state receives federal dollars that are funneled through the CoCs and also appropriates funds from the general fund. The counties manage federal dollars from the Community Development Block Grants and spend relatively small portions of their own general funds on addressing or serving houseless people.

## County Spending on Houselessness

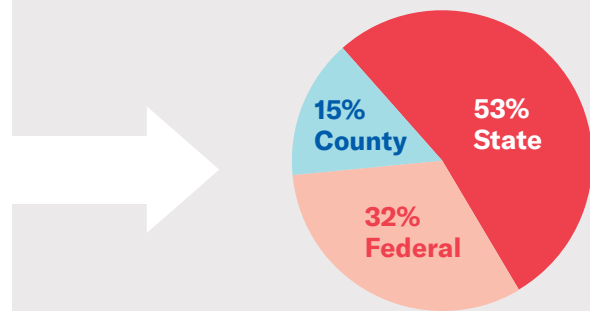
- Honolulu spends approximately \$10 million in county funds on houselessness initiatives annually, representing less than 1% of the county's \$3 billion operating budget (Figure 4).<sup>69</sup> This \$10 million in county funds for houselessness is also about 30 times less than what Honolulu spends on policing.<sup>70</sup>

68 The state defines "core homelessness programs" as programs that exclusively serve people experiencing homelessness or people who are at-risk of homelessness and that have recurring funding. Source: Hawaii Interagency Council on Homelessness, "Statewide Homeless Services Fiscal Map, Phase One: Core Homeless Programs" (2020), <https://homelessness.hawaii.gov/wp-content/uploads/2020/12/HICH-Statewide-Fiscal-Map-Presentation-December-2020.pdf>.

69 Christina Jedra, "Honolulu's Spending On Homeless Stagnates Even As Problem Persists," *Honolulu Civil Beat*, March 24, 2020, <https://www.civilbeat.org/2020/03/honolulus-spending-on-homeless-stagnates-even-as-problem-persists/>.

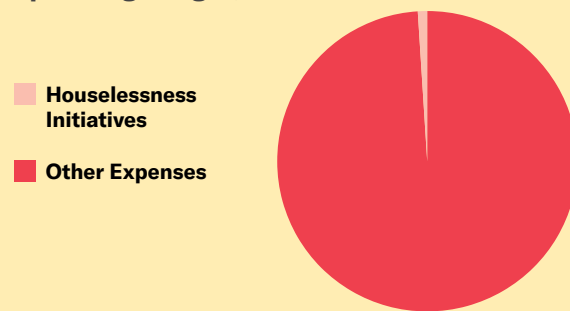
70 Christina Jedra, "Police Commissioners: Redirect HPD Funds to Social Services and Cut Overtime," *Honolulu Civil Beat*, March 4, 2021, <https://www.civilbeat.org/2021/03/police-commissioners-redirect-hpd-funds-to-social-services-and-cut-overtime/>.

Figure 3: Hawai'i Houseless Program Funding, FY 2021



Source: Hawai'i Interagency Council on Homelessness

Figure 4: Spending on houselessness services is less than 1% of Honolulu's operating budget, FY 2021



- Maui County spends about \$240,000 on its Homelessness Program and grants \$3.3 million to non-profit agencies that address houselessness within the county.<sup>71</sup>
- Kaua'i County allocated approximately \$2.2 million in county funds to the Kealaula Housing Project for houseless families and spends \$93,936 per year on the Homeless Coordinator position for the County of Kaua'i Housing Agency.<sup>72</sup>
- Hawai'i County staff manage lease agreements and work with state agencies and non-profits to address houselessness. The county also budgets non-profit grant funding that can be used to address houselessness. However, there is no dedicated dollar amount allocated to address houselessness.<sup>73</sup>

71 Email communication with the Homelessness Program staff in March 2021.

72 Email communication with Kaua'i County staff in April 2021.

73 Email communication with Hawai'i County staff in April 2021.

## Police Involvement in Houselessness Initiatives

Beyond responding to 911 calls regarding unhoused individuals, local police departments are formally involved in a significant portion of state and local houselessness initiatives in Hawai'i. In addition to working with a variety of service providers, shelters, and local initiatives,<sup>74</sup> the Honolulu Police Department has three programs focused on houselessness:

### **Homeless Outreach and Navigation for Unsheltered Persons (HONU)/Provisional Outdoor Screening and Triage Facility (POST)**

The City and County of Honolulu Department of Community Services and Honolulu Police Department received \$6 million in state 'Ohana Zone funds to create HONU, two mobile short-term shelter and navigation sites.<sup>75</sup> In response to the COVID-19 pandemic, the project shifted to become POST, a quarantine facility that provided COVID-19 screening, triage, and isolation facilities to mitigate the spread of COVID-19 among the unhoused population in Honolulu.

While the City has characterized POST as “shelter,”<sup>76</sup> HUD has repeatedly rejected that characterization. One HUD director explained that “POST is just a City endorsed homeless tent city” and therefore was to be treated as a street outreach program. Separately, a system administrator for HUD described POST in the following way: “when it’s outside and it looks like a tent and feels like a tent, and it smells like a tent, it is a street outreach program; it’s not a shelter.”<sup>77</sup>

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<sup>74</sup> For example, Honolulu Police Department is involved with Hawaii Homeless Healthcare Hui (H4) and the Institute for Human Services' Chinatown Joint Outreach Centers.

<sup>75</sup> State of Hawaii Homeless Initiative, “Homeless Outreach and Navigation for Unsheltered Persons (HONU),” Hawaii.gov, December 31, 2020, <https://homelessness.hawaii.gov/homeless-outreach-and-navigation-for-unsheltered-persons-honu/>.

<sup>76</sup> City and County of Honolulu. “City Opens Its Provisional Outdoor Screening and Triage (POST) Facility.” HNL Info Alerts, April 7, 2020. <https://hnl.info/alerts/wc.php?i=14a>.

<sup>77</sup> July 21, 2020 and September 30, 2020 emails from HUD Community Planning and Development Director Mark Chandler, received in response to FOIA request.

## Health Efficiency Long-term Partnership (HELP)

Between 2017 and the start of the COVID-19 pandemic, HELP was a project that organized monthly joint agency outreach days involving police officers and service providers. In teams of two, service providers offered houseless individuals supportive services and police officers offered rides to nearby shelters for those who chose that option, when spaces were available. The program also created a shared database between the Honolulu police department and service providers to track houseless individuals.<sup>78</sup>

## Law Enforcement Assisted Diversion (LEAD)

LEAD is a pre-booking diversion program that aims to divert individuals who have committed minor offenses away from the criminal justice system and into the social service sector.<sup>79</sup> Variations of LEAD exist in Honolulu, Kaua'i, Maui, and the Island of Hawai'i. In Honolulu, LEAD diversion referrals had not begun as of early 2020 and as of mid-2021 the program is still not being heavily utilized. However, police officers who interact with houseless individuals can refer them to LEAD wraparound supportive services.

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<sup>78</sup> Natanya Friedheim, “Honolulu Police Try Building More Trust With The Homeless,” Honolulu Civil Beat, December 27, 2017, <https://www.civilbeat.org/2017/12/honolulu-police-try-building-more-trust-with-the-homeless/>.

<sup>79</sup> Mark Willingham, Sophie Gralapp, and John P. Barile, “Law Enforcement Assisted Diversion Honolulu 2-Year Program Evaluation Report” (Department of Psychology, University of Hawai'i at Mānoa, October 1, 2020).

## PART 2: INTERVIEW FINDINGS

The following findings are based on interviews with 6 service providers, 5 government employees, 3 community organizers, 3 academics, 2 individuals who have experienced houselessness in Honolulu, and 1 employee of a philanthropic organization. Interviewees explored the following broad topic areas:

- 1. What should the role of the police be in responding to houselessness?** What are the consequences of the current role of the police in responding to houselessness? What changes can the Hawai'i counties make to better serve the needs of the unhoused population?
- 2. What services are needed?** How can existing houselessness services be improved or replaced to better serve the needs of the unhoused population? What existing or new housing or supportive services merit investment at the county level?

### Policing

The following themes emerged regarding the role of the Honolulu Police Department in responding to houselessness:

#### Shortcomings of current system

- Police departments' de-facto role as first responders to houselessness is inappropriate and harmful.
- Sweeps of houseless encampments are damaging and counterproductive.
- The HELP program has minimal benefits and poses concerning costs.
- The diversion component of the Law Enforcement Assisted Diversion (LEAD) program is not happening in Honolulu due to lack of institutional buy-in.

#### Areas for investment

- Non-armed mobile crisis response services offer a promising alternative to policing, if they disrupt the police's role as first-responders to houselessness.

#### Shortcomings of current system

Like most parts of the country, when 911 receives a call regarding an individual that is unhoused and/or having a behavioral health crisis in Hawaii, it is the local police department that responds.<sup>80</sup> This response occurs by default because of an absence of viable public health alternatives, rather than because police departments are best suited to support individuals that are unhoused and/or during a behavioral health crisis.

Most interviewees agreed that police departments' role as first responders to houselessness is unideal at best, and harmful at worst. Interviewees explained that police are currently heavily involved in responding to houselessness in Hawai'i but had concerns about law enforcement being the primary structural response to houselessness. One service provider said, "I think that as a system, the way that they [the police] are working with the houseless is not beneficial to anybody." They explained that interactions between unhoused individuals and police often result in officers issuing citations and arrests, which can decrease unhoused individuals' chances of accessing housing and supportive services.

Another service provider expressed that the police are currently filling a function that nobody else is doing, but that would be better done by social workers or mental health workers: "The police are really the only government response. They're the only ones in the field, giving people rides to shelter, for example. But that shouldn't be their role." Police officers are not professionally trained to support individuals undergoing behavioral crises, including houselessness.

80 Substance Abuse and Mental Health Services Administration (SAMHSA), "Executive Order Safe Policing for Safe Communities: Addressing Mental Health, Homelessness, and Addiction Report," 2020, <https://www.samhsa.gov/sites/default/files/safe-policing-safe-communities-report.pdf>.

The police in Honolulu are also responsible for the enforcement of laws that criminalize houselessness, primarily through sweeps. Several interviewees discussed the harmful effects of police sweeps on unhoused communities. One person experiencing houselessness who currently lives in a shelter in Honolulu described living through sweeps:

*The sweeps are so bad. They just displace us. It doesn't make any sense. They come in the middle of the night. I've woken up to a sweep happening. We've had to stay up all night, waiting for them. And do you know how many important documents I've lost during the sweeps? Medical papers, ID, records, everything. They throw them away and they tell us we can go get our stuff in a warehouse somewhere, but how do we get there? I've heard that it's not even true, even if you can get there.*

*I just don't understand how they think it will help anything. To just displace us and make us even worse off. Usually people just move from one side of the street to the other to wait it out. And in the meantime, the vultures come—people come when they know sweeps are happening to steal things.*

Some interviewees offered ideas of how to build the political will to stop sweeps. Since sweeps often occur in response to complaints from the public about houseless encampments, one community advocate explained how increasing dialogue between housed and unhoused communities can increase mutual trust and understanding and reduce instances of housed residents calling on the police to sweep unhoused residents. For example, in Waimanalo and Waiʻanae, leaders from houseless encampments have attended neighborhood board meetings to communicate with local housed residents about community issues. Other interviewees suggested that the laws criminalizing houselessness need to change in order to stop sweeps.

Interviewees were generally ambivalent about the Honolulu Police Department's HELP program, which has been paused since the start of the pandemic. HELP involved the police conducting

occasional joint outreach efforts with service providers to unhoused communities. One interviewee explained that the HELP program allowed rookie police officers the opportunity to learn how to interact with houseless individuals productively. However, the same person pointed out that the HELP program eroded trust between service providers and houseless individuals because service providers became associated with police and HELP outreach days commonly preceded sweeps.

Interviewees had mixed feelings about POST, HPD's quarantine facility composed of a compound with tents and restroom facilities. One objective of HONU/POST is to divert houseless individuals from citation and arrest. However, some interviewees expressed concern that houseless individuals were coerced into joining POST. When houseless individuals were threatened with citation or arrest during the pandemic, they were given the option of avoiding arrest by going to POST instead, where they did not have in and out privileges. Some felt this was akin to incarceration. One houseless person explained: "It was like prison. I agreed to go because I was so tired of the sweeps. But they had us locked up and we couldn't leave."

A few interviewees discussed the merits and shortcomings of the Honolulu Police Department's LEAD program. In terms of the program's strengths, interviewees noted that the program's wraparound services benefit participants and that the intention behind the program to reduce the involvement of unhoused individuals in the criminal justice system is valuable. However, three interviewees pointed out that the program has fallen short of its goals of diverting individuals from arrest. Two interviewees explained that the diversion component of the program is not happening because of a lack of buy-in on behalf of police and prosecutors. A 2020 program evaluation of LEAD confirmed that diversion has not begun and recommended that the diversion arm of the program begin so as to be able to measure the impact of the program on arrests and incarceration.<sup>81</sup>

81 Mark Willingham, Sophie Gralapp, and John P. Barile, "Law Enforcement Assisted Diversion Honolulu 2-Year Program Evaluation Report" (Department of Psychology, University of Hawai'i at Mānoa, October 1, 2020).



## Areas for investment

### Alternative Mobile Crisis Response Models:

Over half of interviewees expressed interest in the possibility of creating non-armed mobile crisis response services to respond to houselessness and related behavioral and mental health crises instead of police. This interest among interviewees echoed national conversations on reimagining safety that have highlighted mobile crisis response services as a key strategy for reducing police involvement in houselessness.<sup>82</sup>

Mobile crisis response services can be structured in a variety of ways, but generally involve teams of non-armed behavioral or mental health specialists who can provide a mobile response to crises, instead of police. At the national level, the models of mobile crises response services receiving the most attention as offering alternatives to reliance on policing are those that divert 911 calls regarding non-violent crises to civilian teams who can respond without police or Emergency Medical Services (EMS).<sup>83</sup> Once on site, these mobile crisis response teams can provide care and assistance required and can call for police or EMS back-up if necessary. There are also models of mobile crisis response called Mental Health First models that are completely autonomous from police, involve non-police dispatch and implementation, and are typically created by and accountable to communities that are most impacted by mental health crises and police violence.<sup>84</sup>

According to a 2021 report reviewing mobile crisis response programs, for mobile crisis response programs to effectively reduce or eliminate harmful interactions with police,

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82 Substance Abuse and Mental Health Services Administration (SAMHSA). "Executive Order Safe Policing for Safe Communities: Addressing Mental Health, Homelessness, and Addiction Report," 2020. <https://www.samhsa.gov/sites/default/files/safe-policing-safe-communities-report.pdf>.

83 The longest standing and most well-known program using this model is the CAHOOTS program in Eugene, Oregon. Kim et al. (2021) point out that while CAHOOTS-type models can significantly reduce the role and scope of the police, they still involve police collaboration. The degree to which police continue to be involved in CAHOOTS-type models depends on mechanisms of dispatch and criteria for police involvement, among other factors.

84 Kim, Mimi E, Megyung Chung, Shira Hassan, and Andrea J. Ritchie. "Defund the Police - Invest in Community Care: A Guide to Alternative Mental Health Responses." Interrupting Criminalization, May 2021.

non-police responders must have autonomy from police departments, have sufficient resources to be able to be dispatched in response to 911 (or another publicized and widely accessible system of dispatch) 24/7 across all regions, and must be accountable to the communities most impacted by mental health crises and police violence, among other requirements.<sup>85</sup> A simple method of remembering these criteria is to think of "triple A"—autonomy, accessibility, and accountability.

### Current Initiatives in Hawai'i Fall Short

As of September 2021, Honolulu's new mobile crisis response program (Crisis Outreach Response and Engagement or "CORE") appears unlikely to substantially reduce police involvement in responding to houselessness—first and foremost because it does not meet the criterion of autonomy from the police. Under the program, 911 dispatchers will continue to send police to nonviolent, houselessness-related calls. Police will then have the option to call the CORE team (composed of emergency services workers and social workers) if they choose.<sup>86</sup> Under this program, police will continue to serve as de-facto first responders to houselessness. More recent reporting in October<sup>87</sup> suggests police may be less involved than previously reported. With the start-and-stop nature of the CORE roll-out, as well as the back-and-forth information being provided about police involvement in CORE, skepticism as to the level of police involvement, and therefore the viability of the program, is still warranted.

One of the interviewees for this report explained that a similar model of police and non-police co-response<sup>88</sup> to domestic violence incidents had largely failed in Honolulu in the recent past. The program, called Safe on Scene, was intended to reduce the harmful interactions that police

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85 Ibid.

86 Mizuo, Ashley. "Mayor Rick Blangiardi's Homelessness Strategy for Honolulu Falls Flat | Honolulu Star-Advertiser." Honolulu Star-Advertiser, September 14, 2021. <https://www.staradvertiser.com/2021/09/14/hawaii-news/mayor-rick-blangiardis-homelessness-strategy-for-honolulu-falls-flat/>.

87 Mizuo, Ashley. "Honolulu's new homeless Crisis Outreach Response and Engagement program is expected to begin in 2 weeks." Honolulu Star-Advertiser, October 8, 2021.

88 Co-response is a common model of mobile crisis response in which a police officer is accompanied by a mental health professional or social worker.

officers would often have with victims or survivors of domestic violence, by allowing police officers to bring a domestic violence advocate to co-respond to incidents. However, the interviewee, who was involved with running the program, explained that the police were largely uncooperative and usually declined to involve the non-police domestic violence advocates.

On the state level, a non-armed mobile crisis response program exists, but has limitations in serving as a viable alternative to policing. The Hawai'i Coordinated Access Resource Entry System (CARES) coordinates services across the state to support individuals experiencing substance use and mental health challenges. An individual can call the CARES hotline on behalf of themselves or someone else in need of support and CARES representatives can dispatch a crisis mobile outreach (CMO) unit to respond to callers. However, there are several limitations that prevent CARES from being a viable alternative to policing: the CARES line is far less well known among the public compared with 911,<sup>89</sup> 911 dispatch does not coordinate with CARES to divert calls regarding mental health crises away from police, and in some circumstances, police are dispatched to respond to CARES calls. In other words, the program is limited in terms of accessibility to the public and autonomy from police. Despite the existence of the CARES line, police continue to be first responders to homelessness across most of the state.

## Services

The following themes emerged from interviewees regarding the services landscape:

<sup>89</sup> A public education campaign was launched in late 2020 to spread awareness of CARES and the system receives about 11,000 calls per month, according to: State of Hawaii, Department of Health, "State Offers One-Stop Hotline for Crisis Support, Mental Health Resources and Substance Use Treatment Services," Hawaii.gov, August 5, 2020, <https://health.hawaii.gov/news/newsroom/state-offers-one-stop-hotline-for-crisis-support-mental-health-resources-and-substance-use-treatment-services/>.

### Shortcomings of current services

- There is not enough permanent supportive housing assistance for low-income and extremely low-income individuals and families.
- There are not enough customizable wraparound supportive services for those who want them.
- Government requirements of service providers can be counterproductive.

### Opportunity areas

- Provide more Housing First vouchers.
- Acquire buildings to create permanently affordable housing.
- Incentivize developers to build permanently affordable housing for low-income and extremely low-income individuals and families.
- Provide more customizable wraparound supportive services.

### Housing services are urgently needed

Most interviewees said that the short supply of housing—especially permanent supportive housing and housing affordable to extremely low-income households—is a major barrier to serving the needs of the unhoused population. Many more houseless people want housing support than is currently available from the homelessness services system. Quantitative evidence supports this claim—the top service need reported by unhoused individuals is permanent housing.<sup>90</sup>

<sup>90</sup> Mark Willingham, Sophie Gralapp, and John P. Barile, "Law Enforcement Assisted Diversion Honolulu 2-Year Program Evaluation Report" (Department of Psychology, University of Hawai'i at Mānoa, October 1, 2020).

## Permanent Supportive Housing Vouchers (Housing First)

Several interviewees agreed that providing more permanent supportive housing vouchers should be the government's top priority regarding homelessness. This finding is supported by a wide body of evidence that suggests that Housing First interventions (which provide housing in addition to mental health, substance use, and other support services) are an effective way of helping unhoused individuals achieve greater stability.<sup>91</sup>

One service provider explained the benefits of Housing First: "Vouchers are cheaper and more effective than shelters, which end up creating a revolving door of homelessness." Another service provider offered the following anecdote to illustrate the need for further investment in Hawai'i:

*The real scarcity is the availability of vouchers. When I was doing outreach, we did outreach to 300 clients. And out of those 300 people, only 30 got permanent supportive housing, but that still seemed like a huge success. A 10% rate was pretty successful.*

Some interviewees also suggested that in addition to providing more Housing First vouchers, county officials should consider extending the length of vouchers beyond one year, especially in the wake of the economic fallout of the COVID-19 pandemic. One interviewee who is currently housed in Honolulu through a voucher explained:

*After years of being on the street and in shelter they finally told me I got permanent supportive housing through a voucher. Then when I moved in, they told me it was only for a year. I thought it was permanent. I don't know what I'm going to do once the year is over. My situation won't have changed by then.*

These comments were supported by evidence that long-term rental assistance can be an effective long-term solution to homelessness, as it is more effective at increasing housing stability and more

91 Paula N Goering and David L Streiner, "Putting Housing First: The Evidence and Impact," *Canadian Journal of Psychiatry. Revue Canadienne de Psychiatrie* 60, no. 11 (November 2015): 465-66.

cost-efficient than short-term forms of support such as transitional housing and emergency shelters.<sup>92</sup>

## Acquire Property

Another solution to the shortage of housing that is affordable to low-income and extremely low-income households is for the government to secure more units of permanently affordable housing. Multiple interviewees suggested that the counties can directly purchase and acquire housing units and offer them to low-income families and extremely low-income families at affordable rates. By acquiring housing directly, the counties can ensure that affordability is maintained. One homelessness services funder said, "I think the county definitely needs to be more aggressive about purchasing units, especially for longer-term supportive housing."

## Incentivize Development of Extremely Low-income Housing

Finally, interviewees suggested that the counties can do more to incentivize developers to build housing that is truly affordable to low-income and extremely low-income families. Several interviewees expressed concern that current incentives for affordable housing fall short by failing to create pathways for projects to be approved quickly and by failing to require that affordable housing projects offer housing that is actually affordable to low-income and extremely low-income families, long-term. One service provider explained:

*One of the biggest issues that we have as a state is that the permitting process is so laborious that you almost can't get anything built here. We need 50,000 units to help us over the next couple of years, but if we're not building them now, we're looking at losing more units versus gaining them. The city has the capability to change some of those policies and procedures that could really allow for affordable housing to be developed.*

92 Bailey, Peggy. "Commentary: We Need Rental Assistance and Services, Not Punitive Policies, to End Homelessness." Center on Budget and Policy Priorities, January 27, 2020. <https://www.cbpp.org/research/housing/commentary-we-need-rental-assistance-and-services-not-punitive-policies-to-end>.



A representative of a community-based organization emphasized the need to think carefully about affordability thresholds and requirements: “We need housing that is truly affordable and what that means is people can sustain it on very low incomes.”

## Wraparound services

Wraparound services were a frequently cited gap and a promising area for investment, echoing best practices literature on addressing houselessness.<sup>93</sup> A wraparound services approach takes a holistic view in understanding an individual’s full set of needs. In the context of unhoused individuals, a wraparound services approach considers needs beyond housing that may influence an individual’s well-being. Recipients of these services also typically get choices regarding which services they might utilize. Commonly needed wraparound services include cash assistance, transportation, child care, job placement and support, food assistance, and legal services. A wraparound services approach also involves providing services that are particularly relevant to certain groups such as domestic violence survivors, non-English speakers, gender and sexual minorities, and youth, among others.

Several interviewees pointed out that wraparound services can help individuals who are receiving housing assistance to succeed in maintaining housing and, when applicable, transition into independent housing. One service provider explained: “There needs to be improved wraparound services to help people stay housed after their vouchers run out and that are specific to the needs of individuals or families, like help getting documentation, or help getting a job.”

## Government Requirements of Service Providers

Two major concerns regarding government requirements for service providers were voiced multiple times during interviews, about metrics of success and the prioritization of service provision. First, several interviewees expressed concerns

93 Cyndy Tran, “The Effectiveness of Strategies Addressing Homelessness: A Systematic Literature Review,” May 13, 2020, <http://dspace.calstate.edu/handle/10211.3/215881>.

that the metrics that public agencies use to measure success across the houselessness system create perverse incentives for service providers. Specifically, that metrics incentivize service providers to move unhoused individuals through the houselessness services system as quickly as possible, without taking individuals’ specific needs into account, thereby missing the opportunity to provide individuals with the supportive services they may need to maintain housing, health, and well-being, long-term.

One community advocate explained:

*The city and state contracts use outcome measures that are narrowly defined around moving people through the system quickly... That deadline and that narrow definition of success makes it really hard to customize supports for people, which is the only way to actually help people get into a better place in their lives in a sustainable way.*

The second major challenge facing service providers is that complying with government requirements regarding prioritization of service provision can create missed opportunities for connecting more people with housing. Service providers are required to prioritize service delivery to individuals who receive higher vulnerability scores according to the VI-SPDAT<sup>94</sup> tool. For example, an unhoused individual with comorbidities and who is chronically houseless is much more likely to receive services than an unhoused individual who has been houseless for only a year and is in decent health.<sup>95</sup> While interviewees acknowledged the value in providing services to those in greatest need, they pointed out that an unintended consequence of this system is that many unhoused individuals that need only a limited degree of services in order

94 As noted earlier in this report, across the Coordinated Entry System in Hawai‘i, service providers use the Vulnerability Index and Service Prioritization Decision Assistance Tool (VI-SPDAT) to assess individuals’ needs. Each individual who enters the houselessness services system is assessed and assigned a VI-SPDAT score, which indicates their vulnerability according to indicators such as history of houselessness, substance use, and more. Individuals with higher scores are prioritized for more comprehensive services and are placed into services as they become available.

95 “Chronically houseless” refers to individuals who have been houseless for at least one year continuously or on at least 4 or more occasions over the past 3 years that add up to at least 12 months and who have a disability.

to stabilize their situation have little hope of receiving any. As one service provider explained:

*We house a lot of the people at the top of the list, but there are hundreds that we cannot help because their vulnerability score is too low and they will never get to the point where they are next on the list for permanent supportive housing or long-term rapid housing. It's an extremely frustrating situation because these people that are not as vulnerable will probably be more successful in housing than the people that have so many issues going on.*

Other interviewees agreed that the current rules around prioritization create gaps in access to services. One community advocate expressed frustration that because of the scoring system, an individual has to be houseless for a year in order to qualify for any services. Over the course of one year living on the street, that individual is likely to experience trauma and threats to their health and safety which can decrease their long-term prospects of financial security and well-being. Another interviewee explained that there are too many people “in the middle,” who are not vulnerable enough to get vouchers, but not independent enough to qualify for rapid rehousing assistance, who get left behind under the current system.

## Culture

In addition to highlighting areas from which to divest and areas to invest to support the unhoused population, culture emerged as an area of opportunity for change in the interviews.

### Shortcomings of current culture

- The unhoused population is dehumanized and criminalized in mainstream discourse (media, social media, political debate, etc.) and subsequently blamed—and sometimes physically assaulted, accosted, or threatened—for many social ills.

### Areas for change

- Create avenues for dialogue between unhoused and housed communities.
- Support community-building and self-determination within unhoused communities.
- Shift rhetoric regarding houselessness towards highlighting the common humanity and dignity of unhoused people.

Several interviewees expressed concern that the widespread dehumanization of unhoused people and communities has driven the criminalization

of houselessness. The unhoused population is often blamed for a wide array of neighborhood problems related to sanitation, safety, commerce, tourism, and more. One community advocate explained that it is common in neighborhood board meetings across Honolulu for the majority of agenda items to be related to houselessness. Another service provider lamented how affordable housing projects often face vitriolic opposition by residents who fear that housing low-income or formerly unhoused residents will decrease the safety and/or value of their neighborhoods. When affordable housing is built despite opposition, it is not uncommon for the vocal opponents to regret their initial opposition to it.<sup>96</sup>

The widespread scapegoating of the houseless population for countless social ills often involves or results in calls to police officers, who represent the only form of government assistance most communities can rely on to physically show up and intervene in any given situation. Police intervention can lead to harmful interactions between police officers and unhoused individuals, as well as citations and arrests of unhoused individuals that do not remedy the drivers of houselessness or provide unhoused individuals with services or support they may need.

<sup>96</sup> John Eligon, “Residents Feared Low-Income Housing Would Ruin Their Suburb. It Didn’t,” New York Times, November 5, 2020, <https://www.nytimes.com/2020/11/05/us/affordable-housing-suburbs.html>.

## Create avenues for dialogue between housed and unhoused communities

Opportunities for housed and unhoused individuals and communities to communicate with each other can reduce fear and misunderstanding, prevent the criminalization of houselessness, and improve quality of life for all. Government officials, advocates, and service providers can consult with unhoused community leaders to design avenues for dialogue that allow unhoused community members to feel safe, respected, and able to engage.

There is anecdotal evidence that bringing unhoused and housed communities together to discuss local issues has a range of benefits. On O‘ahu, for example, unhoused residents from the oldest and largest houseless encampment called Pu‘uhonua o Wai‘anae have organized regular meetings with local businesses and residents to discuss local issues and address concerns that housed residents may have regarding the encampment. Residents of Pu‘uhonua o Wai‘anae, or “the village,” also regularly attend neighborhood board meetings.<sup>97</sup> As a result of frequent communication, residents have been able to respond to community concerns regarding health and safety and foster collaborative relationships with local leaders. Additionally, the Pu‘uhonua O Wai‘anae community’s efforts have created the political will to prevent sweeps of their community, which would have displaced hundreds of unhoused residents. The fact that the majority of residents are Native Hawaiians makes their efforts especially meaningful in combating criminalization, which tends to disproportionately harm Native Hawaiians and Pacific Islanders.

## Support community-building and organizing within unhoused communities

Pu‘uhonua o Wai‘anae also shows that when unhoused communities develop trusting, supportive, and accountable community, there are a range of benefits that can help reduce the likelihood of harmful interactions between police officers and unhoused residents. Residents of

the village have organized a variety of systems ranging from safety patrols to community governance to regular community-building events, which residents say make them feel safe and at home. The village operates on the principle that “community provides an answer,” and requires residents to actively participate in the community through service.<sup>98</sup> The level of community organization in the village has enabled residents to enjoy improved mental and physical health and get connected to permanent supportive housing services.<sup>99</sup> In fact, in 2020 Pu‘uhonua o Wai‘anae purchased a 20-acre parcel of land to build a permanent village of affordable housing for 250 residents. The permanent village will continue to be self-organized and provide “safety, healing, and purpose through a community of aloha.”<sup>100</sup>

Community building has also been a focus at the Hale Maui Ola shelter where Hui Aloha, a volunteer-driven organization, has been operating a community-building project involving regular community service days and community meetings for over a year. Program participants say that involvement in the project has provided healing, mental health support, and skill building. Involvement with the community has also helped participants navigate the supportive services system and access housing. The Hui Aloha volunteer network’s efforts to build community have also helped improve relations between houseless encampments and adjacent housed communities, which have reduced the frequency of sweeps by police.<sup>101</sup>

Overall, investing in community-building at places such as shelters and encampments can improve quality of life for unhoused residents, improve health and safety for all, and reduce the criminalization of houselessness. Partnering with unhoused community leaders as well as organizations like Hui Aloha, can provide government officials and service providers with context-specific pathways to support community-

97 Jessica Terrell, “The Shepherd Of The Harbor,” Honolulu Civil Beat, November 16, 2015, <https://www.civilbeat.org/2015/11/the-shepherd-of-the-harbor/>.

98 Hui Aloha, “Our Model Works,” Aloha Lives Here, accessed April 13, 2021, <https://www.alohaliveshere.org/about-us/our-model-works>.

99 Jessica Terrell, “The Shepherd Of The Harbor,” Honolulu Civil Beat, November 16, 2015, <https://www.civilbeat.org/2015/11/the-shepherd-of-the-harbor/>.

100 Hui Aloha, “Our Model Works,” Aloha Lives Here, accessed April 13, 2021, <https://www.alohaliveshere.org/about-us/our-model-works>.

101 Conversation with Hui Aloha leaders, March 2021.

building and generate the myriad of benefits it provides.

### **Shift rhetoric to center common humanity and dignity**

Several interviewees from community organizations, service providers, and academia agreed that state and local government’s focus on sweeps and “enforcement” as a response to houselessness in Hawai‘i has contributed to a common perception among the general public that unhoused people are criminals and less than human. Beyond halting sweeps and removing policies that criminalize houselessness, interviewees suggested that a crucial step to improving relations between housed and unhoused communities and reducing harmful interactions between police officers and the unhoused is for government officials and elected leaders to shift rhetoric regarding houselessness to highlight the common humanity and dignity of all people, regardless of housing status. Shifting the narrative on houselessness can also help reduce the NIMBY-ism that has prevented affordable housing developments from being successful.<sup>102</sup> The following guidelines can be helpful:

- Avoid using language that creates an “us” versus “them” dynamic between housed and unhoused communities.<sup>103</sup>
- Stop stereotyping houseless people (avoid implying that all unhoused people share certain characteristics).
- Use the terms “unhoused” or “houseless” rather than “homeless” to respect the wishes of many unhoused people and center the dignity of individuals who are experiencing houselessness.
- Emphasize that unhoused people are legitimate residents and members of the community—a fact that is recognized under federal law.<sup>104</sup>

- Acknowledge the structural drivers of houselessness such as income inequality and lack of affordable housing.
- Avoid placing blame on unhoused residents for being unhoused.

Shifting rhetoric in these ways can contribute to a cultural shift regarding how houselessness is perceived that can improve community health, safety, and well-being, and reduce the frequency of interactions between police officers and unhoused residents that result from fear and distrust, rather than true public safety risk.

102 Hui Aloha, “A New Approach to Homelessness on Oahu,” 2021, <https://www.huiaaloha.org/resources>.

103 Ibid.

104 “McKinney-Vento – National Center for Homeless Education,” National Center for Homeless Education, accessed May 12, 2021, <https://nche.ed.gov/mckinney-vento/>.

### **A union of and for the houseless**

Creating a formal organizing body to represent the needs of the houseless across Hawai'i could help combat the criminalization of houselessness and achieve solutions to some of the challenges the islands face because of houselessness. As tenant unions and worker unions allow tenants and workers to unite and make decisions about conditions affecting their well-being, a houseless union could allow the unhoused population to self-organize, advocate for their own needs, and make decisions in their own best interests. For example, a houseless union could communicate with the houseless services system to provide insight as to the challenges houseless residents face in accessing services and identify opportunities for system changes that could increase the likelihood of success. A houseless union could also negotiate with public agency stakeholders to resolve conflicts over encampments and help determine solutions that avoid sweeps and displacement, while preserving public health and safety.

One result of the community building efforts at several houseless encampments on O'ahu is a growing network of unhoused leaders that spans across the island. The network allows leaders to share lessons learned and work through common challenges facing unhoused communities. The network also opens the door to the possibility of an increased level of self-organization across unhoused communities that could increase the capacity of the houseless for advocacy and negotiation with government officials regarding issues impacting them.

# PART 3: BUDGET ANALYSIS

Public budgets are moral documents that should reflect the values and priorities of the people. The following section provides analyses of how the four counties in Hawai'i are currently spending public dollars, and highlights opportunities for reallocated investment. Calculations are based on publicly available county operating budgets as well as records requested from local agencies and email correspondence with county officials.

## Almost one-third of county resources are spent on policing.

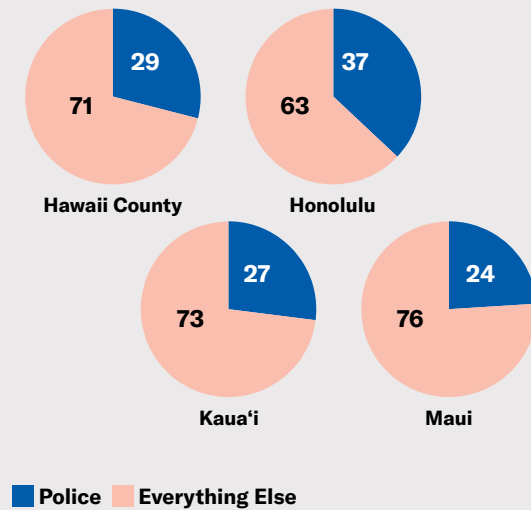
Hawaii's counties spend between 24% (Maui) and 37% (Honolulu) of General Fund expenditures on police departments (Figure 5).<sup>105</sup> When the four counties' resources are combined, they spend 32% of county resources on police. In other words, about one-third of local taxpayer dollars are spent on policing in Hawai'i (Figure 6).

Police expenditures are staggering compared with spending on houselessness:

- Honolulu spends 31 times as much on policing as on addressing houselessness.
- Kaua'i spends 16 times as much on policing as on addressing houselessness.
- Maui spends 20 times as much on policing as on addressing houselessness.
- Hawai'i County spends 30 times as much on policing as on non-profit grants in aid, some of which can be used to address houselessness.

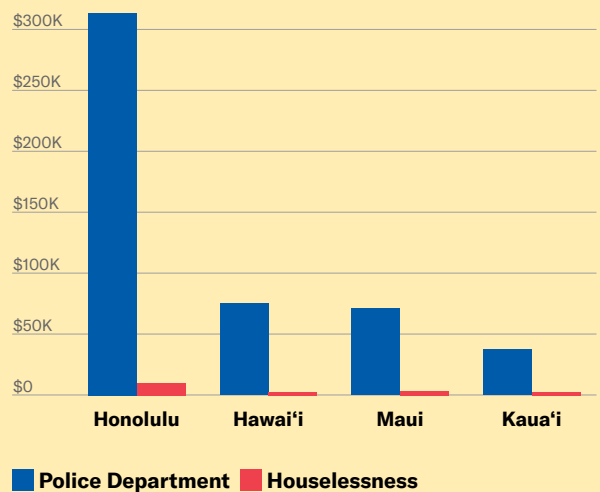
<sup>105</sup> Calculations reflect police department General Fund expenditures divided by total General Fund operating expenditures. For three counties, however, certain items are excluded from the total General Fund denominator because these expenditures are not disaggregated by department in county budget documents. Costs associated with these items, therefore, may or may not be associated with police departments. For Hawai'i Island, pensions and contributions, transfers to other funds, and transfers to debt service, which are not recorded by department, are excluded. For Honolulu, Debt Service and Miscellaneous Function item are excluded. For Maui, insurance, debt service payments, interdepartmental transfers and unreimbursed employee benefits are excluded. In contrast, for Kaua'i, all expenses are published by department and are included in calculations in this report (claims, rental, loans, debt services; employee and related including benefits and overtime; indirect costs, operating costs, facilities, grants, training, travel; utilities; etc.).

**Figure 5: General Fund Expenditures by Department and County**



Note: For Hawai'i Island, pensions and contributions, transfers to other funds, and transfers to debt service, which are not recorded by department, are excluded. For Honolulu, Debt Service and Miscellaneous Function item are excluded. For Maui, insurance, debt service payments, interdepartmental transfers and unreimbursed employee benefits are excluded. In contrast, for Kaua'i, all expenses are published by department and are included in calculations in this report (claims, rental, loans, debt services; employee and related including benefits and overtime; indirect costs, operating costs, facilities, grants, training, travel; utilities; etc.).

**Figure 6: Expenditures on Policing versus Houselessness, by County**



Notes: Includes all operating expenditures. Data are for FY 2021, except Kaua'i, which reflects FY 2020. The Kaua'i figure includes expenses related to FICA, pensions, workers' compensation, benefits, and overtime, unlike the other counties. Hawai'i County data on houselessness expenditures reflects the county's nonprofit grants-in-aid budget which may include houselessness funding, and may or may not reflect the county's total expenditures related to houselessness.



**Table 2**

County	Police Department Operating Budget	FTE	Cost of a Police Officer
Hawai'i County	\$74,073,730	779	\$95,088
Honolulu	\$312,091,911	2707	\$115,291
Kaua'i	\$37,840,405	225	\$162,158
Maui	\$69,818,689	559	\$124,966

Data on the cost of employee benefits and overtime by the Department were only available for Kaua'i County. Therefore, the estimated average cost of a police officer in Kaua'i is a higher and more accurate estimate than estimates for the other three counties.

Note: Data are FY 2021 for all counties except Kaua'i where data are from FY 2020. Police Department Operating Budgets do not include expenses related to FICA, pensions, workers' compensation, benefits, or overtime, except for Kaua'i, where data was available by department. FTE includes all staff, including non-police officers. The "Cost of a Police Officer" figures are calculated by dividing each police department's operating budget by department FTE.

To contextualize this distribution of public spending, it can be helpful to refer to crime statistics—figures that traditionally justify public spending on police. Hawaii's crime rates are much lower than the rest of the country, with a violent crime rate two thirds that of the United States as a whole.<sup>106</sup>

Since 1985, the level of property crime in Hawai'i has been on a general downward trend and the level of violent crime has stayed largely consistent, and small compared to the number of arrests overall. As Anthony Romero, Executive Director of the ACLU National has noted, "[e]very three seconds a person is arrested in the United States. According to the FBI, of the 10.3 million arrests a year, only 5 percent are for offenses involving violence. All other arrests are for non-violent offenses — these include many relatively minor infractions like money forgery, the alleged crime that the cops who killed

George Floyd arrived to investigate; or selling single cigarettes without a tax stamp, the crime Eric Garner lost his life for; or for marijuana or other drug possession."<sup>107</sup>

## Policing costs the counties half a billion dollars.

Across Hawai'i, counties are spending about \$124,000 per police officer each year, coming to over \$490 million in total expenditures on policing (Table 2).<sup>108</sup>

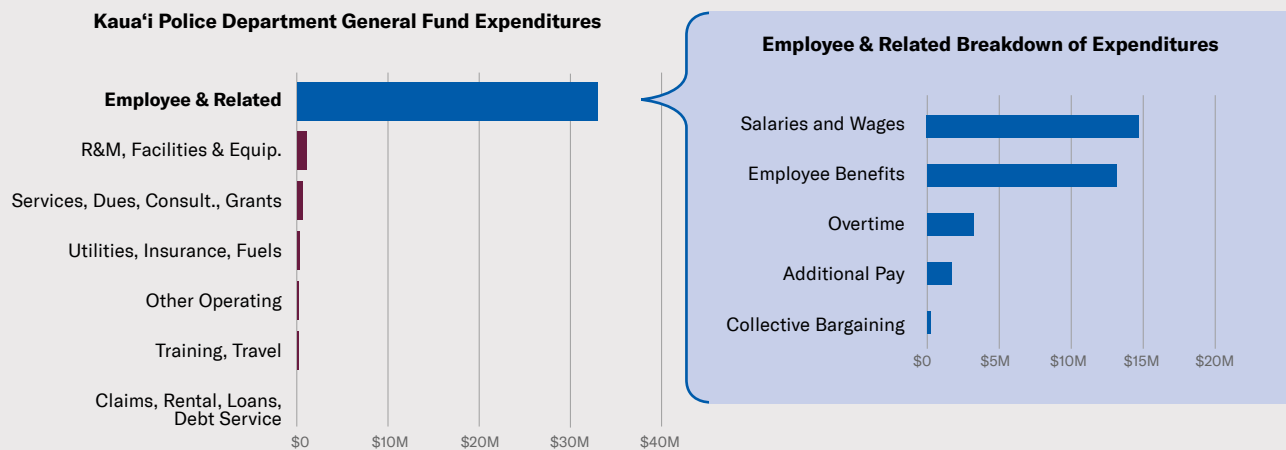
Kaua'i County publishes more detailed information about expenditures and revenues than the three other counties. This financial transparency allows greater insight into how

107 "Reimagining the Role of Police," by Anthony Romero, June 5, 2020 (<https://www.aclu.org/news/criminal-law-reform/reimagining-the-role-of-police/>). This article cited FBI statistics that noted, "Nationwide, law enforcement made an estimated 10,310,960 arrests in 2018. Of these arrests, 521,103 were for violent crimes, and 1,167,296 were for property crimes." See <https://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/topic-pages/persons-arrested>.

108 Includes expenditures from all funds.

106 Federal Bureau of Investigation. "Crime Data." Crime Data Explorer, n.d. <https://crime-data-explorer.fr.cloud.gov/pages/explorer/crime/crime-trend>.

**Figure 7: Kauaʻi Police Department General Fund Expenditures, FY 20**



Source: OpenGov. “Annual Report.” OpenGov – Kauaʻi Finance and Budget Visualization, 2021.

police department expenditures are distributed (Figure 7).

Overtime and benefits add to police departments’ bills on city budgets. The Honolulu Police Department spent nearly \$40 million on overtime in fiscal year 2020 and is expected to spend \$34 million by the end of fiscal year 2021.<sup>109</sup> Overtime has been abused by hundreds of Honolulu police officers.<sup>110</sup> This use of overtime brings the county’s total operating budget closer to \$350 million and increases the average cost of a police officer to \$130,000. In addition to simple abuse of overtime, Honolulu officials have also expressed concern about spending related to pensions for retired police officers and the possibility that some employees use overtime to boost their retirement pay.<sup>111</sup>

## Sweeps are costly.

109 Christina Jedra, “Honolulu Police Overtime Reached New Heights In The Last Fiscal Year,” Honolulu Civil Beat, March 26, 2021, <https://www.civilbeat.org/2021/03/honolulu-police-overtime-reached-new-heights-in-the-last-fiscal-year/>.

110 Chelsea Davis, “In Internal Video, Police Chief Says 263 Officers Abused Overtime Policy,” Hawaiʻi News Now, February 27, 2021, <https://www.hawaiinewsnow.com/2021/02/27/an-internal-video-hpd-chief-says-officers-abused-overtime-policy/>.

111 Christina Jedra, “Honolulu Police Overtime Reached New Heights In The Last Fiscal Year,” Honolulu Civil Beat, March 26, 2021, <https://www.civilbeat.org/2021/03/honolulu-police-overtime-reached-new-heights-in-the-last-fiscal-year/>.

Honolulu spends at least \$4.8 million per year on formal sweeps that displace unhoused individuals, incur economic, physical, and psychological harm, and do nothing to address the root causes of houselessness.

## Opportunities to Reinvest in Community

Investing in solutions to support houseless individuals instead of policing can help address the problems related to houselessness that members of the public care about, such as sanitation, while also saving the public money in criminal legal system and healthcare savings. In this way, supportive services can have a positive multiplier effect. For example, it costs \$72,000<sup>112</sup> to incarcerate one person at Oahu Community Correctional Center per year—about three times the cost of offering a person or family supportive housing for the same time.<sup>113</sup> By providing an unhoused person with supportive services instead of incarcerating them, the public can

112 Merce, Robert. “OCCC Is A 21st-Century Poorhouse And Asylum. We Must Do Better.” Honolulu Civil Beat, September 20, 2020. <https://www.civilbeat.org/2020/09/occc-is-a-21st-century-poorhouse-and-asylum-we-must-do-better/>.

113 John P. Barile and Anna S. Pruitt, “Housing First Societal Impacts: Cost-Benefits Analysis” (University of Hawaiʻi at Mānoa, College of Social Sciences, May 2017), [https://www.honolulu.gov/rep/site/ohou/ohou\\_docs/HousingFirst-Societal-Impacts-Final.pdf](https://www.honolulu.gov/rep/site/ohou/ohou_docs/HousingFirst-Societal-Impacts-Final.pdf).



**Table 3**

	<b>Current investment</b>	<b>Number of adults that could be housed and provided with supportive services through Housing First instead</b>	<b>Annual savings to healthcare and the criminal justice system</b>
<b>Annual cost of a police officer</b>	\$115,291	4	\$45,984
<b>Annual cost of sweeps</b>	\$4,800,000	192	\$2,207,232
<b>HELP Detail</b>	\$949,620	38	\$436,848

Note: Number of adults that could receive Housing First vouchers and annual savings are calculated using estimates in: John P. Barile and Anna S. Pruitt, "Housing First Societal Impacts: Cost-Benefits Analysis" (University of Hawai'i at Mānoa, College of Social Sciences, May 2017), [https://www.honolulu.gov/rep/site/ohou/ohou\\_docs/HousingFirst-Societal-Impacts-Final.pdf](https://www.honolulu.gov/rep/site/ohou/ohou_docs/HousingFirst-Societal-Impacts-Final.pdf).

enjoy tens of thousands of dollars in savings. Unhoused individuals also must often rely on emergency health services, which can cost the public thousands of dollars per visit. Individuals who receive housing services are less likely to use the emergency room or be admitted to a hospital, resulting in cost savings for taxpayers. The following section highlights some of the ways Hawai'i could be addressing houselessness and saving money, instead of sinking resources into criminalization.

### 1. Increase Housing First Vouchers

- With the resources spent on just one police officer, Honolulu could provide 4 Housing First vouchers providing housing and supportive services for a year to 4 households and saving taxpayers an estimated \$45,984 per year in costs related to healthcare, arrests, and incarceration (Table 3).
- The county funds currently used to conduct sweeps in one year could create 192 Housing First vouchers and save taxpayers \$2.2 million per year in costs related to healthcare, arrests, and incarceration and stop the harmful effects of sweeps from pushing houseless people deeper into crisis.
- With the resources spent on the HELP detail within the Honolulu Police Department,

the county could offer 38 vouchers for a year and save taxpayers \$436,673 per year in costs related to healthcare, arrests, and incarceration.

Housing First is a nationally recognized strategy that provides permanent, affordable housing as quickly as possible for individuals and families experiencing houselessness. Since late 2014, Hawai'i's Housing First program has provided services to over 300 individuals, 92% of whom have not returned to houselessness.<sup>114</sup>

Recipients of Housing First vouchers receive both housing as well as supportive services. Providing Housing First services to an individual is estimated to cost between \$20,000 and \$30,000 each year.<sup>115</sup> However, individuals who receive Housing First services are substantially less likely to be incarcerated or use hospital and emergency room services, resulting in cost savings to taxpayers of \$11,496 per year per person enrolled in Housing First. If Honolulu used the funds it currently spends per one police officer on Housing First instead, the county could house four households and save taxpayers \$57,480.

<sup>114</sup> Anna S. Pruitt, Eva McKinsey, and Jack Barile, "Evaluation Report: City & County of Honolulu's Housing First Program; Year 5" (Prepared for the IHS, The Institute for Human Services, 2019).

<sup>115</sup> John P. Barile and Anna S. Pruitt, "Housing First Societal Impacts: Cost-Benefits Analysis" (University of Hawai'i at Mānoa, College of Social Sciences, May 2017), [https://www.honolulu.gov/rep/site/ohou/ohou\\_docs/HousingFirst-Societal-Impacts-Final.pdf](https://www.honolulu.gov/rep/site/ohou/ohou_docs/HousingFirst-Societal-Impacts-Final.pdf).

**Table 4**

<h1>10%</h1>	<p><b>of Honolulu Police Department's Operating Budget</b></p> <h2>\$31,209,191</h2>	<p><b>Up-front development and one-year operating costs of one new unit of affordable housing</b></p> <h2>\$298,612</h2>
<p><b>Number of units that could be built and operated for one year</b></p> <h2>105</h2>	<p><b>Total annual healthcare savings from new units</b></p> <h2>\$5,783,400</h2>	<p><b>Annual healthcare cost savings per unit</b></p> <h2>\$55,080</h2>

Note: Calculations use estimates from: Corporation for Supportive Housing (CSH), "Housing Projections & Financial Modeling for Permanent Supportive Housing (PSH) on Oahu," 2017, <https://homelessness.hawaii.gov/wp-content/uploads/2019/03/HI-ProjectionsFinancial-Modeling.-Focus-on-PSH-only.pdf>.

## 2. Develop Affordable Housing

- With just 10% of the Honolulu Police Department's Operating Budget, the county could build and operate 105 units of permanent supportive housing for a year, housing 146 people and saving taxpayers \$5.8 million in costs related to healthcare (Table 4).

According to a 2017 analysis by the Corporation for Supportive Housing (CSH), O'ahu needs 1,807 additional units of permanent supportive housing to meet the needs of the chronically unhoused population.<sup>116</sup> This need can be met by providing housing vouchers such as through Housing First, or by directly providing housing by acquiring, leasing, or building affordable housing. Using CSH's analysis, the following sections provide comparisons between spending on police and alternatives that would create new units of permanent supportive housing for Hawai'i residents in need.

CSH estimates that building permanent supportive housing costs \$277,404 per unit in up-front costs plus \$21,208 in annual operating costs. Honolulu could build and operate 105 units of

permanent supportive housing for a year with just 10% of the resources currently spent on Honolulu's Police Department (\$31,209,191). These units could house an estimated 146 people. In addition, the community would be estimated to enjoy \$5.8 million in cost savings each year. Estimated annual healthcare savings (\$5.8 million) will cover annual recurring expenses of operating housing (\$2.2 million).

## 3. Acquire Property to Boost Housing Inventory

- With the funds currently used on sweeps in Honolulu, the county could acquire and preserve 26 units of unsubsidized affordable housing.

According to HUD, the preservation of unsubsidized affordable housing through acquisition typically costs one-half to two-thirds as much as new construction.<sup>117</sup> Two-thirds of CSH's estimate of \$277,404 per unit development costs, amounts to a \$184,936 per-unit estimate of acquisition costs. A preservation strategy could help prevent homelessness and increase the county's stock of permanently affordable housing.

116 Corporation for Supportive Housing (CSH), "Housing Projections & Financial Modeling for Permanent Supportive Housing (PSH) on Oahu," 2017, <https://homelessness.hawaii.gov/wp-content/uploads/2019/03/HI-ProjectionsFinancial-Modeling.-Focus-on-PSH-only.pdf>.

117 HUD User, "Preserving Affordable Rental Housing: A Snapshot of Growing Need, Current Threats, and Innovative Solutions," Office of Policy Development and Research, Summer 2013, <https://www.huduser.gov/portal/periodicals/em/summer13/highlight1.html>.

Table 5

<b>5%</b> of Honolulu Police Department's Operating Budget <b>\$15,604,596</b>		<b>Number of units that could be built and operated for one year</b> <b>502</b>
<b>Leasing cost per unit</b> <b>\$31,104</b>	<b>Total annual healthcare savings from new units</b> <b>\$27,650,160</b>	<b>Annual healthcare cost savings per unit</b> <b>\$55,080</b>

Note: Calculations use estimates from: Corporation for Supportive Housing (CSH), "Housing Projections & Financial Modeling for Permanent Supportive Housing (PSH) on Oahu," 2017, <https://homelessness.hawaii.gov/wp-content/uploads/2019/03/HI-ProjectionsFinancial-Modeling.-Focus-on-PSH-only.pdf>.

#### 4. Lease Units for Permanent Supportive Housing

- With just 5% of the Honolulu Police Department's Operating Budget, the county could lease and provide 502 units of permanent supportive housing and save taxpayers \$27.7 million in healthcare costs each year (Table 5)

Counties can lease units to provide permanent supportive housing. This strategy may be costlier than property acquisition in the long-run, but could be a valuable short-term strategy to support houseless individuals while increasing the city's permanent inventory of affordable housing.

#### 5. Create Kauhale Communities

- The City of Honolulu received about \$6 million in state 'Ohana Zone funds to create HONU, a police-run mobile shelter composed of tents for the unhoused. With the same funding, the city could build two Kauhale to offer permanent supportive housing to about 50 people each.

The state of Hawai'i is working with two community organizations to plan several Kauhale across the state. Kauhale will be master-planned communities designed to offer residents a sense of community. Kauhale feature permanent supportive housing, income opportunities, and support services for residents.<sup>118</sup> Importantly, unhoused communities and other members of the public are included in the planning, design, and rule-making for the Kauhale.<sup>119</sup> Each Kauhale costs between \$2.5 million and \$5 million to construct and can house around 50 people.<sup>120</sup>

118 HomeAid Hawaii, "Kauhale Community Centered Living" (2019), [https://fb922f32-e206-4eec-a44d-ed92c683ae9e.filesusr.com/ugd/db0b-1d\\_28f3def0b0df4c518c096d63af90bbe2.pdf](https://fb922f32-e206-4eec-a44d-ed92c683ae9e.filesusr.com/ugd/db0b-1d_28f3def0b0df4c518c096d63af90bbe2.pdf).

119 Lt. Governor of the State of Hawai'i, "The Kauhale Initiative," Hawaii.gov, accessed March 29, 2021, <https://ltgov.hawaii.gov/the-kauhale-initiative/>.

120 This estimate of the number of residents per Kauhale is a rough, conservative estimate because costs vary widely according to land and off-site infrastructure. According to one community advocate in May 2021, each Kauhale could house closer to 100 people.

# PART 4: SUMMARY OF RECOMMENDATIONS

The findings of this report reveal the need to rethink the use of public resources in Hawai'i. A divest/reinvest framework can help shift funds away from criminalization and towards resources that the community desperately needs.

The interventions presented here were identified based on their potential to:

- Reduce harmful interactions between police and unhoused residents,
- Meet the needs of unhoused communities, and
- Promote equity across race and ethnicity.

Hawai'i policymakers should continually seek the input of houseless leaders and service providers to ensure that the needs of those most impacted guide the design of policy and programming.

<b>Divest in</b>	Sweeps and Policing
<b>Invest in</b>	Alternatives to policing Housing and Supportive Services Culture and Community

## Divest from Criminalization

### Stop Sweeps

Sweeps, the primary mechanism by which the city enforces anti-houselessness measures, are ineffective, expensive, and destructive. There is no evidence that sweeps help reduce or prevent houselessness. To the contrary, sweeps have been shown to actually increase the development of houseless encampments and reduce the likelihood that impacted unhoused individuals obtain housing or financial security.<sup>121</sup> Despite their lack of effectiveness as a strategy to reduce

121 Eric S. Tars, "Tent City, USA: The Growth of America's Homeless Encampments and How Communities Are Responding" (The National Center on Homelessness & Poverty, 2017), [https://nlchp.org/wp-content/uploads/2018/10/Tent\\_City\\_USA\\_2017.pdf](https://nlchp.org/wp-content/uploads/2018/10/Tent_City_USA_2017.pdf).

houselessness, sweeps cost taxpayers millions of dollars each year.<sup>122</sup> Furthermore, sweeps have ruinous effects on unhoused individuals' financial security, mental health, and wellbeing. They are traumatic, harmful, and often violent events that often leave houseless individuals with fewer options and opportunities to secure housing than they started off with.

Do sweeps...	
Reduce harmful interactions between police and unhoused residents?	No
Meet the needs of unhoused communities?	No
Promote equity across race and ethnicity?	No
<b>Recommendation: Stop sweeping houseless people</b>	

If Honolulu stops sweeping houseless encampments, the City will help enable houseless residents to develop more trusting and consistent relationships with outreach workers, build community with other unhoused residents, and improve relations with local housed residents, benefiting all parties.

- *Reduce the number of unhoused individuals who are cited, arrested, and incarcerated for non-violent offenses.* Sweeps are a primary site in which city officials make citations and arrests of houseless individuals. Citations and arrests can quickly lead to incarceration, which has deleterious impacts on unhoused individuals' health, safety, well-being, and economic security, and creates high costs for taxpayers.
- *Increased consistency, trust, and communication between outreach workers and unhoused residents.* Currently, it is common for outreach workers to contact unhoused individuals before a sweep and begin the intake process, only to have their efforts

122 Lauren Dunton et al., "Exploring Homelessness Among People Living in Encampments and Associated Cost: City Approaches to Encampment Process, Only to Address the Truth" (Office of Policy Development and Research, January 2021), <https://www.huduser.gov/portal/publications/Exploring-Homelessness-Among-People.html>.



Divest from  
sweeps and  
policing of the  
unhoused.

individuals frequently have personal property such as phones, identification cards, and electronic devices confiscated by city officials, leaving them with less means to coordinate with social service providers. Once unhoused individuals are displaced in a sweep, even outreach workers who have the capacity to return to places where they may have encountered unhoused individuals, may have no way of finding them again to follow up.

- *Increased ability for unhoused residents to develop community and self-organization.* When houseless communities build trusting relationships with one another and develop systems of self-governance, houseless individuals benefit from greater health, safety, and well-being, and unhoused communities can develop improved relationships with surrounding housed communities.
- *Local governments can protect public health at a reduced cost.* One of the primary concerns that leads to sweeps is that houseless encampments can pose health risks to residents as well as the broader community. However, there are ways of addressing hazardous conditions without resorting to sweeps. For example, Elk Grove in California recently started providing modest gift cards to individuals in houseless encampments who bag up their trash every two weeks.<sup>123</sup> City officials say that the program has saved the city thousands of dollars and improved relationships between city officials and residents.
- *Free up millions of dollars in public money that could be used on housing and supportive services.* Honolulu alone spends almost \$5

123 Lauren Johnson, "A California Town Is Paying Its Homeless to Clean Their Encampment Sites," CNN, April 10, 2021, <https://www.cnn.com/2021/04/10/us/california-town-is-paying-homeless-to-pick-up-trash-trnd/index.html>.

million on sweeps each year. With these funds the city could instead provide housing and supportive services to 192 individuals each year and result in an additional \$2.2 million of savings from healthcare and criminal justice system costs.

- *Prevent racial and ethnic disparities from deepening.* With Native Hawaiians and Pacific Islanders disproportionately represented among the unhoused as well as those punished by the criminal legal system, stopping sweeps will stop a primary mechanism by which unhoused residents of color are subject to fines, arrests, and incarceration.

### Limit Police Involvement in Service Provision

Limiting the degree to which local police departments are involved in the homelessness services system can help increase trust between houseless individuals and the services system, prevent criminalization, and free up public resources to invest in housing and supportive services.

HELP and POST/HONU, which involve Honolulu police officers in outreach and service delivery to houseless individuals, pose serious downsides: the programs create an association between the police and supportive services that can dissuade houseless individuals from seeking out services, they increase the possibility of harmful interactions between police officers and unhoused individuals, and they are an expensive way of connecting unhoused individuals to services.<sup>124</sup> Ending HELP and POST/HONU can free up county and state resources to invest in more effective means of assisting the unhoused.

To determine whether the police should be involved in a particular program related to homelessness it is worth asking the questions similar to those that guide this report's policy recommendations: Will police involvement/programming increase the frequency of

124 According to the Bureau of Labor Statistics, a Hawai'i police officer's median hourly wage is \$38.29—significantly higher than a social worker's (\$26.76). Source: U.S. Bureau of Labor Statistics, "May 2020 OEWS State Occupational Employment and Wage Estimates - Hawaii," Occupational Employment and Wage Statistics, 2021, [https://www.bls.gov/oes/current/oes\\_hi.htm](https://www.bls.gov/oes/current/oes_hi.htm).



harmful interactions between police and unhoused residents, meet the needs of unhoused communities, and promote racial equity? For example, it is possible that police departments may be able to play a valuable role in reducing the criminalization of houselessness by participating fully in the LEAD program to divert unhoused individuals from arrest and connect them to services. LEAD meets the criteria outlined above because it does not increase the frequency with which police interact with unhoused individuals, but rather creates another option for what police officers can do when interacting with an unhoused individual that does not involve the person in the criminal legal system, and instead offers them wraparound supportive services. It helps meet the needs of unhoused individuals by connecting them with supportive services and can promote racial equity by reducing citations and arrests of unhoused individuals who are disproportionately members of disadvantaged racial and ethnic groups. However, in order to realize these benefits, police officers and prosecutors must participate in the diversion component of the program.

## Invest in Alternatives to Criminalization

### Support Mobile Crisis Response Services That Disrupt Police Officers' Role as First Responders to Houselessness

Leaders across Hawai'i should work with communities most impacted by houselessness, mental health crises, and policing, to support mobile crisis response services that are accountable to communities' needs and act as a viable alternative to police. Mobile crisis response teams are a federally recognized method of addressing houselessness as well as mental health and substance use, while reducing police involvement.<sup>125</sup> Mobile crisis response teams across Hawai'i staffed with unarmed, well-trained service providers who are clearly autonomous from police, but who can be dispatched in response to 911 calls (or another publicized and

125 Substance Abuse and Mental Health Services Administration (SAMHSA), "Executive Order Safe Policing for Safe Communities: Addressing Mental Health, Homelessness, and Addiction Report," 2020, <https://www.samhsa.gov/sites/default/files/safe-policing-safe-communities-report.pdf>.

widely accessible system of dispatch) at all hours, can reduce harmful interactions between police and unhoused individuals, meet the needs of those experiencing behavioral health crises, and reduce the likelihood of houseless individuals of marginalized identities being disproportionately cited and arrested.

## Invest in Housing and Supportive Services

Expanding supportive services can help meet the needs of the unhoused population, and ultimately reduce the likelihood that they have harmful interactions with police. Based on interviews and literature review, the following services merit additional investment.

### Create more Housing First vouchers

Hawai'i policymakers at the county and state level should prioritize increasing the number of Housing First vouchers available to unhoused residents across the state. Housing First is a particularly effective method of providing unhoused residents with housing stability and supportive services. For example, one increment of Honolulu's Housing First (HF) program has a 92% housing retention rate and the plurality of individuals who have exited the program have exited into permanent housing.<sup>126</sup> Housing First can also help prevent criminalization and involvement in the legal system. Honolulu's HF clients experienced a 49% decrease in number of convictions 4 years after housing, compared to a 1% increase among individuals who were referred to HF but not placed due to lack of space.<sup>127</sup>

The positive impacts of Housing First are constrained, however, by the limited number of new clients housed each year. According to the State of Hawai'i Department of Human Services, in 2020, 254 households were enrolled in HF across the state—a far cry from the thousands of

126 Anna Pruitt et al., "City & County of Honolulu's Housing First Program Year 6 Evaluation Report" (The Institute for Human Services & The City & County of Honolulu, February 2021), <file:///C:/Users/asha/Downloads/Housing%20First%20Y6%20Report%203.9.21%20eVersion.pdf>.

127 Ibid.

individuals living without shelter.<sup>128,129</sup>

## Expand Wraparound Services

Investing in wraparound services can help meet the needs of houseless individuals and increase their likelihood of achieving housing stability. Specific services to invest in include:

- *Cash assistance* – Providing direct cash assistance is an evidence-based method of increasing housing stability. For example, one 2020 study found that houseless individuals who received a \$5,700 cash transfer moved into stable housing faster than those who did not receive cash, and were more likely to be able to save money to maintain financial security one year later.<sup>130</sup> Recipients of cash assistance were also able to increase spending on food, clothing, and rent, and reduce their reliance on public services. Cash assistance also addresses the top self-reported reason for becoming homeless: job, and therefore income, loss.<sup>131</sup>
- *Transportation assistance* – Expanding transportation assistance to those experiencing housing insecurity can help meet a top unmet need among the unhoused. One 2019 study by University of Hawai'i researchers found that transportation assistance was the service that was most consistently reported as needed but inaccessible among the unhoused, and lack of transportation was reported as a key barrier to accessing other supportive services.<sup>132</sup>

128 Department of Human Services, "Report to the Thirty-First Hawaii State Legislature 2021 In Accordance with the Provisions of Section 346-378, Hawaii Revised Statutes, Related to Housing First," December 2020, [https://humanservices.hawaii.gov/wp-content/uploads/2021/01/FINAL\\_Section-346-378\\_Housing-First-signed-2.pdf](https://humanservices.hawaii.gov/wp-content/uploads/2021/01/FINAL_Section-346-378_Housing-First-signed-2.pdf).

129 According to the 2020 Point in Time counts, there were 1,304 unsheltered houseless individuals in the neighbor islands and 2,346 in Oahu.

130 Vancouver New Leaf, "Taking Bold Action on Homelessness" (Foundations for Social Change, 2020), [https://static1.squarespace.com/static/5f07a92f21d34b403c788e05/t/5f751297fcfe7968a6a957a8/1601507995038/2020\\_09\\_30\\_FSC\\_Statement\\_of\\_Impact\\_w\\_Expansion.pdf](https://static1.squarespace.com/static/5f07a92f21d34b403c788e05/t/5f751297fcfe7968a6a957a8/1601507995038/2020_09_30_FSC_Statement_of_Impact_w_Expansion.pdf).

131 John Barile, Anna Pruitt, and Josie Parker, "Identifying and Understanding Gaps in Services for Adults Experiencing Homelessness," *Journal of Community & Applied Social Psychology* 30 (September 9, 2019), <https://doi.org/10.1002/casp.2440>.

132 Ibid.

- *Tailored services for marginalized groups*— Strengthening services tailored for specific groups can help overcome barriers that marginalized groups face to accessing services and reaching stability. Marginalized groups such as domestic violence survivors, non-English speakers, Micronesians, gender and sexual minorities, and LGBTQ youth, are disproportionately vulnerable to housing insecurity and houselessness and may have more unmet services needs compared with other groups.<sup>133</sup> Investing in community-organizations that offer tailored services can help meet these needs.

## Preserve and Produce Affordable Housing

Remedying the shortage of housing that is affordable to low-income and extremely low-income people in Hawai'i is a crucial step to address housing insecurity across the state. The counties can play an active role by reallocating funds for the preservation and production of affordable housing.

### Acquire Unsubsidized Affordable Housing<sup>134</sup>

The four Hawai'i counties should investigate the stock of unsubsidized affordable housing across the islands—especially units that are at risk of losing affordability due to expiring tax credits—and consider investing in its preservation. This strategy would involve public agencies, non-profit affordable housing organizations, or tenant groups purchasing units of unsubsidized affordable housing and rehabilitating them where needed in order to hold properties permanently affordable over time. Research from around the country suggests that property acquisition/rehab offers a range of benefits: it can cost half as much as the construction of new affordable housing units,<sup>135</sup> prevent displacement and advance racial equity,<sup>136</sup>

133 Ibid.

134 Unsubsidized affordable housing is sometimes referred to as Naturally Occurring Affordable Housing (NOAH).

135 HUD User, "Preserving Affordable Rental Housing: A Snapshot of Growing Need, Current Threats, and Innovative Solutions," Office of Policy Development and Research, Summer 2013, <https://www.huduser.gov/portal/periodicals/em/summer13/highlight1.html>.

136 James Yelen, "Preserving Affordability, Preventing Displacement: Acquisition-Rehabilitation of Unsubsidized Affordable Housing in the Bay

and result in lower impacts to the environment and public health than new development.<sup>137</sup>

In the wake of the COVID-19 pandemic, as federal and state moratoriums on foreclosures and evictions expire, there may be an uptick in foreclosures that put unsubsidized affordable housing at risk of being sold to private investors and losing affordability.<sup>138</sup> Investing in preservation of unsubsidized affordable housing may therefore be a timely and effective measure to prevent low-income residents from losing their housing and being at risk of homelessness.

## Invest in Community Land Trusts

Investing in Community Land Trusts (CLTs) can preserve or create permanently affordable housing that is accessible to low-income and extremely low-income individuals and families. CLTs are non-profit, community-based organizations that manage a parcel of land to preserve long-term affordability of homes. CLTs can acquire multi-family rental properties that are at risk of tenant displacement as a means of preserving affordable housing, or can engage in new housing development. CLTs lease or sell housing to households or tenant cooperatives, separating the cost of land from housing units' sale price, which is often a significant factor in a property's value.<sup>139</sup> Consequently, CLTs are able to maintain affordability long-term to tenants and prospective buyers.

There is currently one CLT in Hawai'i called Nā Hale O Maui, which has acquired, rehabilitated and sold 46 single family homes.<sup>140</sup> The Hawai'i counties can support the expansion of CLTs across the state by providing subsidies and priority

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Area" (Enterprise Community Partners, 2020), <https://www.enterprisecommunity.org/download?fid=13693&nid=10252>.

137 National Trust for Historic Preservation, "The Greenest Building: Quantifying the Environmental Value of Building Reuse," 2011, [https://living-future.org/wp-content/uploads/2016/11/The\\_Greenest\\_Building.pdf](https://living-future.org/wp-content/uploads/2016/11/The_Greenest_Building.pdf).

138 Andrew Gomes, "Hawaii Foreclosure Cases Plummeted Last Year," *Honolulu Star-Advertiser*, March 14, 2021, <https://www.staradvertiser.com/2021/03/14/hawaii-news/hawaii-foreclosure-cases-plummeted-last-year/>.

139 Mara Goby, "Expanding Access to Permanently Affordable Housing for Alameda County's Extremely Low-Income Population" (Goldman School of Public Policy for Alameda County Supervisor Wilma Chan, May 2020).

140 "Nā Hale O Maui," Nā Hale O Maui: A Community Land Trust, accessed April 20, 2021, <https://www.nahaleomaui.org/>.

rights to CLTs to support property acquisition.

## Incentivize Development of Extremely Low-Income Housing Tax Credit Units

Local leaders should create incentives for developers to produce affordable housing units for extremely low-income households. The Low-Income Housing Tax Credit (LIHTC) Program provides federal and state tax credits to private developers and non-profit entities to construct or rehabilitate affordable rental units. LIHTC credits are most often used for new construction and provide a significant portion of the funding necessary for new development. LIHTC credits are available for projects that have at least 20% of units rented to households with incomes of 50% or less of area median income (AMI); or, at least 40% of the units must be rented to households with incomes of 60% or less of area median income. However, LIHTC projects rarely produce units for the lowest income households because extremely low-income (ELI) units are generally more expensive to develop. This leaves the group of residents with the highest cost burden in the state with meager options.<sup>141</sup>

Hawai'i can incentivize the development of units for ELI households by providing low-cost financing for development and/or by committing project-based vouchers for ELI units. Committing project-based vouchers would mean committing to pay market-rate rent on units for a set period of time.

## Invest in Culture and Community

### Listen to Houseless Leaders

Policymakers at the county and state level should listen to houseless leaders who are advocating for specific projects, programs, and policy changes that will improve the lives of the unhoused and help them reach greater stability and well-being. Listening to and working with houseless leaders to co-create solutions to homelessness will recognize the fact that those most impacted by homelessness are the experts on the problem. Individuals who are houseless or have experienced

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141 Andrew Aurand et al., "The Gap: A Shortage of Affordable Homes" (National Low Income Housing Coalition, March 2017).



houselessness can offer first-hand knowledge and insight to help design solutions that acknowledge and respond to the real, lived experiences of the unhoused.

### **Support Community-Building**

Government can support community-building within houseless encampments and to help foster healthier and safer houseless communities. Specifically, policymakers can support community-building by allowing organizations that focus on developing trusting relationships, conducting community service, and creating forms of self-governance, to work in shelters. Policymakers can also ensure that performance metrics do not encourage service providers to move individuals through shelters at the expense of community building. Stopping houseless sweeps is also crucial to houseless communities reaping the benefits of community-building so that residents have enough stability to form steady, trusting relationships with one another and enough time to serve their community and participate in self-governance.

### **Humanize the Public Conversation on Houselessness**

Policymakers can foster more respectful conversation regarding houselessness by creating avenues for dialogue between housed and unhoused communities and by using language that highlights the common humanity and dignity of houseless and housed individuals. Creating opportunities for housed and unhoused members of the public to communicate with one another in a respectful environment can help bridge feelings of resentment, anger, and fear, and increase public support for solutions that benefit all parties. Similarly, by shifting rhetoric regarding houselessness towards language that centers shared humanity, policymakers can encourage support for real solutions to houselessness, such as affordable housing, rather than criminalization.



Invest in  
alternative  
responses  
to behavioral  
health crises.

# ADDITIONAL AREAS FOR CONSIDERATION

## Systems-Level Changes Needed

### Repeal, defund, and stop enforcing laws that criminalize houselessness

Honolulu and Maui County have laws in place that prohibit activities that are necessary and life-sustaining for unhoused individuals. Such policies restrict sleeping, camping, sitting/lying, and urinating and defecating in particular public places.<sup>142</sup> These policies do not help reduce or prevent houselessness, but instead waste public resources on enforcement and directly undermine investments in housing and other supportive services by punishing and destabilizing unhoused individuals and communities that do not have another option but to live on the streets. Honolulu and Maui County should repeal the following laws that effectively make it a crime to be houseless:

- Prohibitions on sitting and lying in specific areas
- Prohibitions on urinating and defecating in public spaces in specific areas
- Prohibitions on keeping any object or collection of objects on or over any sidewalk
- Prohibitions on storing personal property on public property in pedestrian zones and in city parks after closing
- Prohibitions on having tents in city parks

While current policies remain in place, prosecutors should exercise their discretion to avoid charging houseless people for conducting life-sustaining activities and to grant amnesty for citations and arrest warrants issued for conducting such activities.

<sup>142</sup> Tristia Bauman, "Housing Not Handcuffs 2019: Ending the Criminalization of Homelessness in U.S. Cities" (National Center on Homelessness & Poverty, December 2019), <https://nlchp.org/housing-not-handcuffs/>.

## Strengthen tenant protections

Strengthening tenant protections can help prevent housing loss before it happens. Tenant protections can be implemented at the state and county level to reduce the likelihood that renters become unhoused and help newly housed individuals and families regain housing stability. Given the uptick in Hawai'i renters' housing insecurity and vulnerability to evictions following the COVID-19 pandemic, policymakers across Hawai'i should consider implementing the following tenant protections as soon as possible:

- **Just cause** - Just cause for eviction policies require that landlords only evict tenants for specific reasons, such as nonpayment of rent and/or violation of lease terms after receiving notice. The purpose of just cause is to provide a fair justification for evictions and protect tenants from "no cause" evictions. In some jurisdictions, just cause policies also require landlords to provide relocation payments for certain "no fault" evictions, such as demolition of a rental unit.
- **Right to counsel** - Guaranteeing all renters the right to an attorney when facing an eviction lawsuit in housing court can help ensure that renters have fair representation and help prevent unnecessary evictions.
- **Prohibit housing discrimination** - Too many people are legally denied housing based on criminal, eviction, or credit history and/or receipt of social security, child support, federal income supports, or Section 8 housing vouchers. Policymakers can enact laws that prohibit discrimination based upon these factors that are unrelated to tenants' ability to abide by reasonable terms of tenancy.<sup>143</sup>

<sup>143</sup> Hawai'i House Senator Karl Rhoads has introduced bills to prevent discrimination against Section 8 renters several times, most recently as SB 206 in the thirty-first legislature.

- **Rent control** - Rent control alleviates the burden of extremely high rents by limiting the amount of rent that private landlords may increase for existing tenants.<sup>144</sup> Rent control policies allow rent to increase by a specific percentage, such as the rate of inflation, each year, and usually create a rent board tasked with setting these allowable annual rent increases.<sup>145</sup>
- **Right of first refusal** - Right of first refusal policies give tenants, public agencies, and/or certain non-profits the right to make an offer on purchasing a property before private buyers, or to match any offer made by a private buyer. Right of first refusal not only offers tenants a means of protecting themselves against displacement, but also can help preserve unsubsidized affordable housing stock.

### Increase the minimum wage

The state of Hawai'i should increase the minimum wage to reduce housing insecurity. An adult earning the current state minimum wage of \$10.10 per hour in Hawai'i would need to work 117 hours each week in order to afford a modest one-bedroom rental home at fair market rent.<sup>146</sup> In other words, Hawai'i residents earning the minimum wage need 2.9 full-time jobs in order to afford a one-bedroom. The high cost of living combined with low wages results in too many families living paycheck-to-paycheck, constantly at risk of falling behind on rent and losing their housing. Raising the minimum wage could increase pay for hundreds of thousands of workers, including almost half of all Native Hawaiian workers and over half of Pacific Islander workers. The state Department of Business, Economic Development and Tourism estimated that in 2018, full-time workers without

children would need to earn at least \$17 per hour to meet their basic needs.<sup>147</sup> MIT researchers estimate that in 2021, an adult working full-time with no children would need to earn at least \$20.61 to support themselves in Hawai'i.<sup>148</sup> Raising the minimum wage to a living wage would be particularly helpful in keeping working women and parents and low and middle-income households out of houselessness.<sup>149</sup>

## Conclusion

The law of the splintered paddle established the right of all people in Hawai'i to lie down, sleep, and live without fear of harm—in public spaces. According to this law, the population that is currently unhoused in Hawai'i has the right to live free from fear of being swept, harassed, or criminalized. With this moment of national racial reckoning and the increased spotlight on the ways that policing is often used to harm Black and Brown people, the opportunity for change is widening. By implementing the changes recommended in this report, Hawai'i can restore its commitment to the values of its original people, and address the needs of current residents. Decriminalizing houselessness, humanizing the cultural dialogue about houselessness, and investing in supportive services and structural changes that will boost residents' incomes and housing access will help ameliorate the challenges that residents have been facing as the cost of living has skyrocketed. Moving towards a Hawai'i in which all people have stable housing will allow communities across the state to thrive.

<sup>144</sup> These tenant protections are mutually reinforcing. For example, rent control policies can complement just cause policies by ensuring that landlords do not skirt compliance with just cause by raising rents excessively. The stronger the system of tenant protections in place, the more tools and resources renters have at their disposal to resist displacement.

<sup>145</sup> SB 52 in the state of Hawaii's thirty-first legislature proposed a rent control policy that would have prohibited landlords from raising rents more than 10% a year. The bill was deferred indefinitely in response to concerns from the Hawaii Association of Realtors.

<sup>146</sup> National Low Income Housing Coalition, "Out of Reach: Hawaii," National Low Income Housing Coalition, 2020, <https://reports.nlihc.org/out/hawaii>.

<sup>147</sup> Binsheng Li, "Self-Sufficiency Income Standard Estimate for Hawaii 2018" (Department of Business, Economic Development and Tourism (DBEDT), December 2019), [https://files.hawaii.gov/dbedt/economic/reports/self-sufficiency/self-sufficiency\\_2018.pdf](https://files.hawaii.gov/dbedt/economic/reports/self-sufficiency/self-sufficiency_2018.pdf).

<sup>148</sup> MIT, "Living Wage Calculation for Honolulu County, Hawaii," Living Wage Calculator, accessed April 4, 2021, <https://livingwage.mit.edu/counties/15003>.

<sup>149</sup> Hawai'i Appleseed Center for Law & Economic Justice, "The Effects of Boosting Hawai'i's Minimum Wage," April 2019, <https://hiappleseed.org/wp-content/uploads/2019/04/effects-of-boosting-hawaii-mini-wage-wage-17.pdf>.