

# MINUTES

of the

## PUBLIC HEARING HELD ON

THE COUNCIL OF THE COUNTY OF MAUI, STATE OF HAWAII, CONVENED A PUBLIC HEARING ON WEDNESDAY, JANUARY 13, 2021, AT 6:00 P.M., ONLINE ONLY VIA BLUEJEANS EVENTS WITH CHAIR ALICE L. LEE PRESIDING, FOR THE PURPOSE OF RECEIVING TESTIMONY ON THE FOLLOWING:

ORDINANCE NO. \_\_\_\_\_  
BILL NO. 142 (2020)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 9.40, MAUI COUNTY CODE, RELATING TO SOCIAL HOST LIABILITY

CHAIR LEE: Will the Maui County Council public hearing please come to order. The time now is approximately 6:01. And before we start roll call, tonight's greeting is boa, instead of noise, you say noite, noite. Boa noite in Portuguese; that's good evening. Boa noite, everyone.

Mr. Clerk.

DEPUTY COUNTY CLERK JAMES G.M. KRUEGER: Chair, proceeding with roll call.

## ROLL CALL

PRESENT: COUNCILMEMBERS GABRIEL JOHNSON, NATALIE A. KAMA, KELLY T. KING, MICHAEL J. MOLINA, TAMARA A.M. PALTIN, SHANE M. SINENCI, YUKI LEI K. SUGIMURA, VICE-CHAIR KEANI N.W. RAWLINS-FERNANDEZ, AND CHAIR ALICE L. LEE.

DEPUTY COUNTY CLERK: Chair, there are nine Members present. A quorum is present to conduct the business of the Council.

Also present for today's public hearing is myself, Deputy County Clerk James Krueger. Also, from the Office of the County Clerk is County Clerk Kathy Kaohu and our Legislative Division staff: Joyce Murashige, Lauren Saldana, and Dell Yoshida.

CHAIR LEE: And do we have Corp. Counsel on the call as well?

DEPUTY COUNTY CLERK: Chair, I don't see a representative from Corp. Counsel at the moment. But either Corporation Counsel Moana Lutey or First Deputy Corporation Counsel Richelle Thomson may join us.

CHAIR LEE: Okay. Proceed.

DEPUTY CORPORATION COUNSEL STEPHANIE CHEN: Sorry, I'm here; Stephanie Chen from Corporation Counsel.

CHAIR LEE: Welcome Stephanie.

DEPUTY CORPORATION COUNSEL CHEN: Thank you.

CHAIR LEE: James.

DEPUTY COUNTY CLERK: Chair, if the Council encounters connectivity issues today that impacts quorum, the body will recess for approximately 15 minutes. And if the connectivity issues aren't resolved, the meeting will be moved to a different time.

CHAIR LEE: Okay, Members, the purpose of this public hearing is to receive testimony on Bill 142 (2020), entitled "A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 9.40, MAUI COUNTY CODE, RELATING TO SOCIAL HOST LIABILITY."

Mr. Clerk, please proceed with testimony.

DEPUTY COUNTY CLERK: Chair, proceeding with the presentation of testimony. Members of the public may testify by connecting to the Council's online meeting by phone or videoconference through the information posted on today's public hearing notice.

Individuals connected by phone are currently on mute and will be unmuted when it is their time to testify. Individuals connected by videoconference should keep both their video and microphones muted and should unmute them when it is their time to testify.

Testimony is limited to the bill listed on the public hearing notice. Individuals may testify for three minutes. When testifying, please state your name and the name of any organization you represent. Please also identify to the Council if you are a paid lobbyist.

After your testimony has concluded, please disconnect from BlueJeans. Doing so will assist staff with identifying the remaining testifiers. The remainder of the public hearing can be viewed on Akaku Channel 53 or on [mauicounty.legistar.com](http://mauicounty.legistar.com). Individuals may also be disconnected from the meeting at any time for breaking decorum.

Chair, the first person we have signed up to testify is John Buck III. To be followed by Paul Tonnessen.

## PRESENTATION OF TESTIMONY

### MR. JOHN BUCK III:

Aloha, Council Chair Lee and Councilmembers. My name is John L. Buck III. I reside in Kahului. I'm also a member of the Kiwanis Club of Kahului and one of their board members for the . . . Kiwanis Children's Fund.

I have, I am here to speak in support of the enactment of the social host liability regulation. I want to keep this testimony short, for there will be other testifiers who will provide you with the statistics and more details. I would like to commend the outstanding work the Coalition has done over the years to protect our youth. And now their work is about to become a reality with the host liability regulation.

There is, there is an important need for us to protect our youth from influences that are detrimental to our youth. Our youth are faced with many challenges in today's society. Our youth do face a lot of negative influences. We need to start ensuring that our youth are exposed to more positive influences and decrease in negative influences. To protect our youth, any individuals, especially adults, who contributes or expose our youth to influences that are detrimental to our youth or allows negative behavior to take place under their super, supervision needs to be held accountable.

I request that you support the proposed regulation and move it forward for the enactment for the goal is to reduce the number of parties, reduce the associated consequences, and improve the health and safety of our community. I would like to thank you for your time and your consideration in this serious issue, and once again ask you to vote in support of the ordinance. Mahalo and thank you.

CHAIR LEE: Thank you, John. Members, are there any questions? If not, thanks again.

May we have the next testifier, please.

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Paul Tonnessen.  
To be followed by Anne Steinke.

MR. PAUL TONNESSEN:

Hi. My name is Paul Tonnessen. I am the Executive Director for Friends of the Children's Justice Center, but I'm here more as a foster parent. I've been fostering children for about 25 years. And, you know, over, and over, and over I hear these kids that I get that are in full addiction at 13-14 years old, that they knew the house to go to. They knew where they could get alcohol supplied by the adults. They talked about driving the vehicles, so the parents don't get arrested drunk driving.

Again, my thing is addiction is very high for our children, especially our at-risk children. And for them to be able to go over and have access to any type of influence of substance, I mean, they're running to it. And for consequences to be had by supplying these things to these children, I just think we need to tighten up on that and have stricter, stricter consequences for that.

If you don't know, I mean, and I know someone talked with John about stats coming up. You know, the children at risk, at least 60-80 percent of these kids are going to turn to drugs and alcohol. And I always say this and it's true; broken children will become broken adults. And what we're doing is we're allowing our broken children who have no proper tools to process any of the traumatic experiences in their life to go over and use alcohol or drugs to deal with it. And then, it's the cost to this County alone and to the entire nation of trying to fix these children and trying to heal them when they become adults. I just think there, there needs to be stronger consequences for the actions of the adults.

And again, protect, I'm just going to stand up for the adults. Broken children become broken adults and I guarantee you these adults had access to alcohol and it's that multigenerational system we have where they don't know any better or there was never any consequences for this behavior and it just carries from generation, to generation, to generation. So, I'm just asking Council to hold them accountable for the actions. It's a lot more than just giving alcohol to a minor; it's, it's sending a minor into addiction. And that's why I'm here tonight. Thank you.

CHAIR LEE: Thank you, Mr. Tonnessen. Members, do you have any questions? If not, thank you.

May we have the next testifier, Mr. Clerk?

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Anne Steinke. To be followed by Lacey Abercrombie.

MS. ANNE STEINKE:

Good evening, Councilmembers. Aloha. My name is Anne Steinke and I live on, in Kalae on the Island of Molokai. I have lived on Molokai for over 25 years and graduated from high school here. But I'm originally from the island of Oahu. I'm a parent of one of the primary target age ranges for underage drinking. I have a 17 and a 20-year-old. I currently teach in our public schools' anti-drug and alcohol abuse programs to our keiki from our 4th to 12th grade. This ordinance is a tool that will complement what we're teaching by sending a message to adults and our community that it's important to keep youth safe from the dangers of underage drinking.

On Molokai, Maui, and Lanai, we are still rural. We still, for the most part, regulate our own. We are not asking to invade your privacy, to barge into your home and tell you how to raise your child or punish you for what you choose to allow your child to do under your own roof. We are asking that if you allow underage drinking to happen at your home, especially when it comes to other people's children, and something happens, you are held accountable; whether that's your child or mine.

Underage drinking can lead to unwanted pregnancies, sexual abuse, fighting, property damage, and drunk driving. We hold people accountable for abetting and other unlawful acts, why are we not holding the host of the event that is allowing underage drinking, which we know does not lead to anything good to be held accountable. By not supporting this bill, we continue to promote the legacy of alcoholism that has devastated many families on all three islands and continues to be a social norm and unhealthy way of life.

SAMSA tells us early drinking is a risk factor for alcohol use disorders. Alcohol who, I mean, e kala mai, adults who had taken their first drink of alcohol before the age of 15 were six and a half times more likely to experience an alcohol use disorder than those who didn't start drinking before age 21. I am one of those statistics. It was okay for me to drink with my parent, and it did not stop at home. If my parent was okay with it, it must be fine, right? On this island, we have lost at least one teenager to drunk driving. That is one too many. We are already combating adults being drunk on the road; there should not be drunk teenagers on the roads as well.

What legacies are we creating for our youth? Just because mom, dad, aunty, uncle, cousin, sister, brother do it doesn't make it okay. I urge you to pass this bill because at the heart of it, it is caring for our island youth. Making sure that you know that if you

allow children, because that's what they are, to drink alcohol, you'll be held liable if something happens. In hopes of this passing, we might be more leery or cautious about becoming the cool aunty or uncle where kids go to get drunk at their house, because it's not okay at theirs. Please support this bill and our island's youth. Please remind us how special our future generation is. Mahalo.

CHAIR LEE: Thank you, Ms. Steinke. Any questions? If not, thank you for coming.

May we have the next testifier, please?

DEPUTY COUNTY CLERK: Next person signed up to testify is Lacey Abercrombie. To be followed by Michael Sparks.

MS. LACEY ABERCROMBIE:

Aloha, Councilmembers. My name is Lacey Abercrombie. I live in Waikapu. And I'm the garden . . . at Lokelani Intermediate . . . in Kihei . . . ordinance. I became a garden teacher to foster in our youth a strong sense of fascination, and more importantly appreciation for their food and where their food comes from; from the aina, from mother nature. . . . students . . .

CHAIR LEE: We're having a little trouble hearing you.

MS. ABERCROMBIE: . . . and . . . protect the aina, because it is the aina . . . . Can you hear me now?

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: Maybe if you just do the voice and not the video maybe.

MS. ABERCROMBIE: Okay.

CHAIR LEE: Want to try that?

MS. ABERCROMBIE: Is that better? I turned my video off. Is that better?

COUNCILMEMBER PALTIN: Oh, kind of.

CHAIR LEE: Yes. Yes, yes, yes. Now it sounds better.

MS. ABERCROMBIE: Okay great. Sorry about that. As I was saying, just as we need to teach our children to protect the aina, we need to protect our children. We need to provide safe environments where it will be easy for them to make good and smart safe choices, even in the face of peer pressure. I see that every day at Lokelani Intermediate. Teenagers, they want so badly to fit in and to find that sense of belonging among their peers. They're so impressionable and easily influenced at this age.

So, just as we wouldn't leave choking hazards out around toddlers, we wouldn't leave knives or guns out around small children, we shouldn't be leaving out, or definitely not providing alcohol to our big children. Because that is what they are still; they are children. And their brains are not finished developing until they're 25. This ordinance doesn't get rid of their responsibility and take it away from our youth. It just adds an additional responsibility to the adults to ask them to actively prevent underage drinking and deter them from turning a blind eye on underage drinking on their own property.

The reality is that our children have enormous challenges in the, on the road ahead of them. They're going to need everything they've got to innovate and combat the challenges of the future. It would be so gut-wrenching for me, as a teacher, to see a bright goofy happy face one week in class and see that same face later in a casket. And that is why I urge you to vote for this ordinance on Friday. Thank you for your time.

CHAIR LEE: Thank you, Ms. Abercrombie. Any questions?

If not, may we have the next testifier, please?

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Michael Sparks. To be followed by Kapua Chang.

CHAIR LEE: Mr. Sparks, we can't hear you. Could you say something again?

Staff, did you unmute him?

DEPUTY COUNTY CLERK: Chair, Michael Sparks, you are unmuted on our end. I believe it is a technical issue on your side.

MR. MICHAEL SPARKS:

How's it? Is that better now?

DEPUTY COUNTY CLERK: Yes.

CHAIR LEE: Yes. Yes.

MR. SPARKS: Yes, I'm sorry. I must have double muted myself, I apologize. Let me try the, the greeting again; Boa Noite. Is that correct? Good. Thank you for allowing me to provide testimony in support of the Maui social host ordinance. My name is Michael Sparks and I'm a Kihei resident. I've worked in the alcohol and drug prevention field since 1979 and provide consultation to local, state, national organizations and municipalities on matters related to alcohol and other drug policies.

I've worked on social host ordinances since their inception in the mid-1990's and I've assisted over 25 communities in passing such ordinances. I was a member of the Lake Forest University School of Medicine study team on the now completed social host community trial study funded by the National Institute on Alcohol and Alcohol Abuse. Although, I'm principally a community practitioner, I'm the co-author of several journal articles on the topic.

I'm here tonight to share with you a bit about the evidence associated with social host policies. Formal research and local evaluations suggest that well-crafted and well enforced local civil host, civil social host policies are associated with decreased numbers and size of high-risk underage drinking parties, which will lead to corresponding reductions in alcohol related harms. Harms include, but are not limited to, interpersonal violence, unprotected sex, vandalism, DUI, sexual assaults, and neighborhood disturbance.

Social host policies change norms regarding community acceptance of underage drinking among adults and youth, leading to less consumption. These policies are also associated with reductions in police resources, utilized at underage drinking house parties, thereby freeing up law enforcement personnel to respond to other calls for service. And the policies are associated with increased community awareness and commitment to the protection of the health and welfare of our youth.

As a long-time . . . in the field, it's my opinion that the Maui social host ordinance follows all of the evidence-based criteria for a well-crafted local ordinance and has the potential to bring about the outcomes for our community that I just described. Passing this policy would be a significant public health benefit both for our youth and our community. The ordinance is supported by the Maui Police Department and the community. Equally important, the Maui Coalition for Drug Free Youth is committed to providing ongoing community education about the ordinance, thereby increasing awareness and the desired deterrence that we seek.



In conclusion, adoption and enforcement of the Maui social host ordinance will shift adult behavior to decrease the . . . approval of high risk and underage drinking parties in home settings, and result in a reduction in the number of these parties. This will result in improved health and safety of our youth and our community at large. Thank you.

CHAIR LEE: Thank you, Mr. Sparks. We have a question for you.

Member Paltin. Can't hear you.

COUNCILMEMBER PALTIN: Thank you, Chair Lee.

CHAIR LEE: Okay.

COUNCILMEMBER PALTIN: Thank you, Mr. Sparks. You know when you said you worked on passing social host ordinances in places since the 90's, I just was wondering if any of those places were within the Hawaiian Islands?

MR. SPARKS: No. You will be the first local social host ordinance, to my knowledge, in the State. And this is, this has been a, I think, a long-term hope for some of the other islands to this work. But Maui is getting to it first.

COUNCILMEMBER PALTIN: Thank you. Thank you, Chair.

MR. SPARKS: You're welcome.

CHAIR LEE: Any more questions? If not, thank you, Mr. Sparks.

MR. SPARKS: Thank you.

CHAIR LEE: And Mr. Clerk, may we have the next testifier please?

DEPUTY COUNTY CLERK: The next person signed up to testify is Kapua Chang. To be followed by Dr. Colleen Inouye.

MS. KAPUA CHANG, MAUI COALITION FOR DRUG-FREE YOUTH:

Aloha, Councilmembers. And thank you for being here this evening to listen to testimony for the social host liability ordinance; Bill 142. My name's Kapua Chang and I am the Chair for the Maui Coalition for Drug-Free Youth. The social host ordinance being proposed has been worked on and carefully thought out for the past three years.

Our members and youth council have worked very hard to find a solution to the problem of underage drinking. Several hundred surveys were completed by youth from all Maui County islands and extensive one on one interviews with youth, law enforcement officials, and other community members took place during our research period. Councilmembers, you all have also played a huge part in this process and we'd like to mahalo you again for your engagement and feedback.

Local data that we've collected unfortunately shows that Maui youth consume more alcohol and binge drink at higher rates compared to other counties throughout the State. The data also provides the fact that house parties are the most common setting where underage drinking occurs. The key intent of this ordinance is to create a safer community for our youth and their families, specifically by holding adults accountable for any underage drinking that happens on property that they are responsible for. When Maui County adults were surveyed, 88 and a half percent said that they would not allow drinking at their homes and over 90 percent said that they would not want their children drinking at another person's home.

When minors consume alcohol at house parties, it can lead to an increased risk of several consequences. These consequences include sexual assault, rape, DUI's, car accident deaths, and fighting or other types of violence. Unfortunately, we've spoken with several Maui County youth that have been the victims to these consequences or know someone close to them who has. We've got to do a better job at protecting our kids from these kinds of environments.

Some may argue that this ordinance does not tackle the root of the underage drinking problem, however, access to alcohol is a root cause of underage drinking. And kids are indeed accessing alcohol at house parties in our local communities. If we can deter these house parties from occurring, we reduce youth consumption of alcohol. As a parent myself, I'm more than happy to support an ordinance like this if it means it'll help to prevent a family from suffering a horrific tragedy due to underage drinking. When I weigh the consequences of a fine versus potential harm to my child, there's no hesitation in knowing which is the lesser of the two.

If we, as adults, are diligent in not allowing underage drinking to occur on our properties, this ordinance won't affect us at all, except to make our road safer. As parents and community members, it's our kuleana to shift the norm surrounding underage consumption of alcohol and protect our youth so that they may be better able to thrive in a more positive environment. We are here in front of you tonight to humbly ask for your support of the social host ordinance. Mahalo nui for your time.

CHAIR LEE: Thank you, Ms. Chang. Any questions? If not, thank you very much.

May we have the next? Is that Dr. Inouye?

DR. COLLEEN INOUE:

Yes. Hi. I'm Colleen Inouye. I'm a resident of Makawao and I'm here to support as far as to ask for support for the enactment of the social host liability regulation. Yes, I am an obstetrician/gynecologist and I will say that I frequently counsel my young patients about drinking. And unfortunately, as far as, you know, they do know it's against the law, however, as far as I talk to them more about the, as far as how alcohol then tends to lead to risky behaviors. And so, I speak to my young patients about how with alcohol, unfortunately, the highest number of sexual assaults occur under the influence of alcohol. And I will say that the Johns Hopkins Bloomberg School of Public Health does say that when it comes to these type of incidences, that 75 percent of both or one of the parties was under the influence of alcohol.

The other item that I speak to my patients about is motor vehicle accidents. And again, Johns Hopkins says that when it comes to underage alcohol related deaths, that 35 percent of them involve motor vehicle accidents.

And also, as far as I think one of the other tragic unintended consequences of underage drinking is pregnancy that unfortunately, as far as that does occur, in these type of settings. And what we are finding out now is that with alcohol, that even a small amount as far as that, is that women drinks as far as around the time of conception, can lead to neurological dysfunction that of course can last throughout a lifetime. And as one of the other speakers talked about as far as that brings a lot of problems as far as, as an adult.

So, hopefully, all of us are in support of decreasing these numbers of parties, and also decreasing the direct and indirect consequences of underage drinking. And hopefully we are trying to improve the health and safety of our community. So, I will say thank you for listening to my testimony. And I hope that you vote in support of the ordinance. Thank you.

CHAIR LEE: Thank you, Dr. Inouye. Are there any questions? If not, thanks for coming.

DR. INOUE: Thank you.

CHAIR LEE: May we have the next testifier, please?

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Kristin Mills. To be followed by Dr. Gabrielle O'Sullivan.

MS. KRISTIN MILLS:

Good evening, Council Chair Lee and Councilmembers. My name is Kristin Mills. I'm resident of Pukalani, a parent, and a health educator with the Maui District Health Office. I am here to speak in support of the enactment of the social host liability regulation.

The social host ordinance isn't only about stopping underage drinking. It's also about preventing the serious aftermath associated with underage drinking; drunk driving, physical fights, sexual assaults, alcohol poisoning, car crashes, arrests, and deaths. The list goes on. We have age limits for drinking alcohol for a reason. Youth are too young to make decisions of this nature. Further, their brains are not developed until the age of 25, and can be harmed by alcohol, especially binge drinking.

Unfortunately, some parents see underage drinking as a rite of passage and see drinking in their own home as a safer option. Drinking alcohol at a house party is not a safe option. By having a social host ordinance, which holds a homeowner responsible, we can prevent underage drinking and the serious aftermath of underage drinking. I am a parent of an 11-year-old and a nearly 17-year-old, who you will hear, hear from in a couple of speakers.

As a health educator for the Health Department here on Maui, I work hard to prevent and protect all youth on Maui. As a parent, I also work hard to protect my own children. All youth have the right to get to adulthood and not have their future severely altered or ended prematurely because of underage drinking.

As a parent, I do believe my kids would make good decisions for themselves, as I have worked hard to encourage them to do so. But the harsh reality is that peer pressure and curiosity are real things. Again, these are youth. Their brains are not developed fully yet. So, a social host ordinance will help protect even the good kids from underage drinking because of peer pressure or curiosity.

Finally, for parents who don't have underage drinking occurring in their homes and at their house parties, this social host ordinance will not affect them at all. But it would have the positive effect of encouraging people with house parties to put added thought about labeling, separating, and monitoring coolers with alcohol in them to assure youth aren't accessing these drinks. It's all about keeping our youth safe. Thank you so much for your consideration and I ask for you to vote in support of this ordinance. Mahalo.

CHAIR LEE: Thank you, Ms. Mills. Are there any questions? If not, thank you very much.

May we have the next testifier, please?

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Dr. Gabrielle O'Sullivan. To be followed by Luke Berrigan.

DR. GABRIELLE O'SULLIVAN:

Aloha, Council Chair Lee and Councilmembers.

CHAIR LEE: Hello.

DR. O'SULLIVAN: My name is Gabrielle O'Sullivan and I'm a resident of Pukalani, and I'm here to speak in support of the enactment of the social host liability regulation. I'm here as a parent of two young children, and also as a family doctor at Malama I Ke Ola Community Health Center. In my work at Malama, I provide primary care to babies, adolescents, and adults. And every day I see the impact of early alcohol exposure on our youth. I also provide medication assisted treatment for our clients that have both alcohol and/or different drug use disorders.

Underage drinking on Maui is a big problem. I have patients that are young adults that have alcohol use disorder and already struggle with the physical sequelae of alcoholism on their bodies. Many of these patients say they started drinking in their early teens at house parties. In addition, I see patients with post-traumatic stress disorder from sexual trauma, rape, assault, often describing the events where these occurred when they were youth and alcohol was involved.

Limiting the access to alcohol for our youth at house parties with a social host ordinance is a very practical way to reduce the number of house parties in our community, and thereby reduce the consequences and improve the health and safety of our youth. As both a parent and a physician, I ask you to vote in support of this ordinance. Thank you for your time.

CHAIR LEE: Thank you for your testimony. Any questions? If not, thank you very much.

May we have the next testifier, please?

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Luke Berrigan. To be followed by Kerith Harding.

MR. LUKE BERRIGAN, MAUI NUI YOUTH COUNCIL:

Hello. My name is Luke Berrigan, I'm 16, I go to King Kekaulike High School and I am part of the Maui Nui Youth Council. I would like to thank you for voting yes on the social host ordinance on the first meeting, and I would like to ask you to vote yes on the meeting this upcoming Friday.

If this ordinance is passed, it will lower the risk of car accidents, fights, sexual assault on my peers due to house parties and underage drinking. Along with the benefits from this ordinance, it will only be triggered when a complaint is called into a police station due to something like a noise violation due to a house party. This means that police work in an area will not increase as the social host ordinance should not directly affect the amount of disturbance complaints filed in an area.

Once again, I would like to ask you to vote yes on the social host ordinance on Friday. Thank you.

CHAIR LEE: Thank you. Luke, I do have a question. Are you still there?

MR. BERRIGAN: Yes.

CHAIR LEE: Okay. So, let's say there's going to be a party at someone's house, and you find out, well, the parents are not going to allow drinking. Would your group go to the beach or someplace else?

MR. BERRIGAN: No.

CHAIR LEE: Okay. Well, thank you. Thank you very much for that. Any more questions from anyone? If not, thank you, Luke.

May we have the next testifier, please, Mr. Clerk?

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Kerith Harding. To be followed by Mike McCutcheon.

MS. KERITH HARDING:

Hello. Can you guys hear me okay? Alright. My name is Kerith Harding and I'm the rector of St. John's Church in Kula and I'm also the parent of two children. And I'm testifying today in support of the social host ordinance.

As many folks who have spoken before me have already said, the evidence shows that kids who participate in these parties are so much more likely to be exposed to things like sexual assaults, fights, other physical and emotional harm. And while certainly some of that harm might be temporary, the effects of other, others are for, last forever. Now the effects of sexual assault and emotional harm can last for the rest of someone's life and have quite a devastating effect.

Meanwhile, of course, our local police officers have few resources available to cite those who are responsible for letting unrelated children party and drink in their homes and on their properties. So, a social host ordinance would allow the police to cite those responsible and can serve as a deterrent to those who might otherwise be hosting such drinking on their properties.

As a parent, I don't want anyone else exposing my children to alcohol. And as a responsible adult, it's my responsibility to see that no one else's children are allowed to drink at my house. I certainly wish that all other adults naturally felt that way, but clearly, they don't. Right now, there's no easy way to hold those adults accountable for letting children drink in their homes. So, I hope you'll approve the social host ordinance in support of Maui County's children and families and in support of our local law enforcement who need the proper tools to help keep them safe. Thank you.

CHAIR LEE: Thank you, Ms. Harding. Are there any questions? If not, thank you for coming.

May we have the next testifier, Mr. Clerk?

DEPUTY COUNTY CLERK: Next individual signed up to testify is Mike McCutcheon. To be followed by the individual connected to the meeting from the phone number ending with these last four digits, 8527.

CHAIR LEE: Mr. Clerk, could you repeat the name?

DEPUTY COUNTY CLERK: Yes. The current testifier is Mike McCutcheon. I do see an individual connected to the meeting under the name Mike, but they are muted on their end. I cannot unmute them.

CHAIR LEE: Okay, let's go to the next one.

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is the individual connected to the meeting from the phone number ending with these last four digits, 8527. To be followed by Stacey Moniz.

MR. BRANDON AGPAOA-THOMPSON

Oh, hello. Can you hear me?

CHAIR LEE: Yes.

Hello. Oh, hi. Hi. So, my name's Brandon Agpaoa-Thompson. I'm one of the prevention specialists at Maui Youth and Family Services. And I am testifying today as a concerned future parent and concerned community member. I would like to encourage you guys to vote yes for the social host ordinance on Friday.

As many before me have mentioned, the views on, the views that adults have on underage drinking towards, like, their family members, it has to change. And I feel like adding more accountability to those, those of age supplying to underage youth is very important. Especially since in the future I want to be a parent, I know for sure that I'm going to make sure that I teach my kids that underage drinking is wrong.

But I also do not want them to kind of be a victim if they go to a party in the future and those parents have different views than I am. I just want to have a security blanket so that I know for sure, you know, my kids in the future, my brothers, and so forth, and so forth, are somewhat protected. And I feel like this ordinance would definitely help out. Thank you.

CHAIR LEE: Thank you for your testimony. Are there any questions, Members?

If not, Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the next person signed up to testify is Stacey Moniz. To be followed by Karen Worthington.

MS. STACEY MONIZ:

Aloha. Good evening. My name is Stacey Moniz. I am not a paid lobbyist. But I am a mother, an aunty, and a proud grandma. I'm testifying today in strong support of this bill.

When I was 11, I met a beautiful friend right up the street who would become my best friend. We even called each other sisters. When I was about 13, while neither of my parents drank or would ever allow us to drink at our house, her parents not only drank and did drugs, but they allowed and encouraged us to gather in their home and drink



and smoke weed. There were children as young as 11 in the house using drugs and drinking. At the time, I thought they were the best parents ever. I went there every chance I got.

What I couldn't see, but now know was happening, was that they were not only promoting addiction for myself, and my best friend, and other children in the house, they were using her as a human payment for their drugs. At 15 years old, just like Dr. Inouye said, she did get pregnant as a result of that human trafficking and was basically given to a man who was over 40 years old in exchange for a place for their whole family to live. This happened right here on Maui.

And while she has experienced periods of sobriety, the effects of the deep levels of betrayal and trauma, she was victimized to the point perhaps of no return. Today, she still struggles with addiction, she's homeless, she's been in and out of jail. She continues to use her body as her only means of survival. She is extremely beautiful and has children and grandchildren that she's not able to see because of her addiction.

Today, I'm angry at her parents. And I actually appreciate my own parents so much more. I hope to do whatever I can to ensure that no other child has to endure the kinds of trauma and abuse that often accompany homes where underage drinking and drug use are permitted and encouraged. As a grandma, I must question the motives of parents who entice children to their homes in this way, and we must hold them responsible if only for the drinking, if not, for all the other things that come with that in their homes. Thank you so much for allowing me to testify today.

CHAIR LEE: Thank you, Stacey. Very good to see you.

MS. MONIZ: Nice to see you too. . . .

CHAIR LEE: Are there any questions?

Yes, Ms. Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Just a quick question. Aloha, Ms. Moniz. Mahalo for your testimony.

MS. MONIZ: Aloha.

VICE-CHAIR RAWLINS-FERNANDEZ: I was wondering, mahalo for sharing your personal story. Did your parents know your best friends' parents?

MS. MONIZ: No, they did not. I mean, they did; we were neighbors. But her parents were weird according to my parents. And according to her parents, my parents were old fogey stick in the muds, you know, cause they were. And they were trying to be protective. I see that now. But as a rebellious teenager, yea, I saw it a little differently back then.

But like someone else had just said, we as the adults in this world have got to protect kids like me who thought they were the best parents ever, you know. Those, that was my best thinking at 13 years old.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo.

MS. MONIZ: Thank you for asking.

CHAIR LEE: Thank you. Are there any more questions? If not, thank you, Stacey.

MS. MONIZ: Thank you.

CHAIR LEE: Good to see you.

MS. MONIZ: You too. Aloha.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Next person we have signed up to testify is Karen Worthington. To be followed by Sarah Suwanjindar.

MS. KAREN WORTHINGTON:

Good evening, Councilmembers. Thank you for accepting public testimony about the social host liability ordinance. My name is Karen Worthington and I'm a registered voter in Kula. And I'm testifying as the mother of two daughters; an eighth grader and a senior in high school. I support passage of the Maui social host liability ordinance and ask you to vote in favor of it.

Until my daughter's junior year in high school, my daughter's friends were often at our house after school and on weekends. Sometime during junior year though, I noticed fewer and fewer people coming around, especially on weekend nights. My daughter still talked about her friends. We saw the teens at sporting events, so it didn't seem like there were any major friendship problems.

I started listening more closely when I was around the teens and I had some great conversations with my daughter. And what I learned was that many young people had started to gather in homes where parents didn't seem to mind the teens were drinking. The parents either allowed the teens to drink or they ignored that it might be happening.

Since my husband and I have strict rules about no underage drinking at our home, kids rarely came here anymore. As a mother, I was unprepared for how acceptable it was for parents to allow kids and their friends to drink alcohol at their homes. So, when parents allow or facilitate their underage drinking, it sends mixed messages to teens about whether it's really a big deal. And they're getting strong messages from parents that it's okay to drink, even though the law says otherwise.

This ordinance would send a clear message to all adults and teens that underage drinking is dangerous and unacceptable, and that they are responsible for preventing it in their homes and on their property. So, currently in Maui, there are minimal or no consequences for adults who allow people under the age of 21 to drink in their homes or on the property, unless the drinking leads to a serious car accident or a police involvement with arrests.

This ordinance is a huge step forward on that front. Enforcing the law will be a straightforward process because of the strict liability standard. If there are minors on a property who have consumed alcohol, the responsible person receives a citation. It doesn't matter where the alcohol came from or whether the responsible person is present or knew the kids were drinking. And the liability applies to homes, outbuildings, yards, hotel rooms, and vacation rentals. That's straightforward and easy to explain to parents, teens, and other adults and it makes the enforcement easy for police.

Providing these penalties that are civil rather than criminal fairly provides a deterrent to underage drinking without expanding the reach of our criminal justice system, which none of us want. In addition, this graduated level of fines provides a clear message about responsibility without creating an excessive hardship for a first violation. I want to thank you for accepting our testimony. And I encourage all of you to vote yes on this bill. Thank you.

CHAIR LEE: Thank you very much, Ms. Worthington. Any questions, Members? If not, thank you for coming.

And Mr. Clerk, can we have the next testifier please?

DEPUTY COUNTY CLERK: Chair, the next individual we have signed up to testify is Sarah Suwanjindar. To be followed by Laurence Muleh.

CHAIR LEE: Mr. Clerk, how many more do we have?

DEPUTY COUNTY CLERK: Chair, there's approximately 16 testifiers remaining.

MS. SARAH SUWANJINDAR:

Aloha, Councilmembers. My name is Sarah Suwanjindar. I'm a resident of Kula. I'm a parent, as well as the board president at the Haleakala Waldorf School. I'm here to speak to you tonight in support of the social host regulation. I'm in favor of the regulation because I think it is important to improve the health and safety of our community at large.

And I'm here to provide some personal testimony from my own experience as a youth. House parties were quite the norm. I, recalling my own high school years, was at a house party at least one of two nights every weekend in my community. And I personally experienced the impact of that. I'm one of the lucky ones. You know, I recall getting into that vehicle with a drunk driver being intoxicated myself, and just, you know, recalling the fact that I am one of the lucky ones.

And when I think back to the faces of the youth that were part of my high school class, the impacts of those house parties and drinking on the weekends in, you know, private homes and hotel rooms with friends, with my classmates. I was, there was so many that are not as lucky as I am that resulted in my peer's deaths within my high school years, sexual assaults for some of my close girlfriends. I had, you know, had, had disabled, a drunk driving that led to, you know, deaths, if not, also disabled, disablement of some of my close friends.

So, these house parties can be quite life altering and I ask you to think back to your own experience as a youth and some of those house parties that you attended to, attended yourself or that you heard about on Monday, you know, the weekend after and hold a picture in your mind of your, your friends and your family that were at the impact of such parties, and to hold that in your mind as you, as you vote on this regulation tonight. Thank you.

CHAIR LEE: Thank you, Ms. Suwanjindar. Members, any questions?

Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you very much for being here. You are, are you a teacher at Haleakala Waldorf School, or?

MS. SUWANJINDAR: I'm a board, I'm the board president, a parent.

COUNCILMEMBER SUGIMURA: . . . So, this law if passed on Friday for second and final reading then would become law July 1, 2021. And would you, as part of Haleakala Waldorf School, provide education on this for the, for your, for the, well, faculty, but also for the teachers, I'm sorry, for the parents, Haleakala Waldorf School?

MS. SUWANJINDAR: Yes. I think it's important to be part of the initiative in educating, educating parents if the regulation were to be passed. It's important that there, that a community is informed.

COUNCILMEMBER SUGIMURA: Thank you. I think that's important. Thank you.

CHAIR LEE: Any more questions? If not, thank you very much for coming.

Mr. Clerk.

DEPUTY COUNTY CLERK: The next person we have signed up to testify is Laurence Muleh. To be followed by Ann Hsu.

MR. LAURENCE MULEH:

Thank you. Can you hear me?

CHAIR LEE: Yes.

MR. MULEH: Okay, wonderful. I'm going to leave my camera off just so I have a good connection here. Good evening, Councilmembers. My name is Laurence Muleh. I've been a K to 12 public school teacher for 17 years. I'm the visual arts department head and the drawing and painting teacher at Maui High School. And I'm here today to support the enactment of Maui social host liability regulation.

As a high school teacher, I am well aware of how susceptible our youth are to underage drinking, binge drinking, and how dangerous and long-lasting the repercussions can be. I came here to testify tonight, because as a teacher and a parent, I spend every day guiding and mentoring children and creating safe spaces for them to learn, grow, and thrive. I know that as adults working with and raising children, it's our duty to protect our children and to ensure that our spaces are safe for our own children and the children in our community.

They are our responsibility to create safe environments, to limit access to alcohol and to enact solutions to the problem of underage drinking. If we can decrease our youths access to alcohol and can deter adults from creating environments where house parties and youth drinking can occur or is even encouraged, we will undoubtedly make an impact by reducing the negative impacts related to underage drinking, fights, vandalism, sexual assault, drunk driving, mental and physical injury from intoxications and risk of addiction.

A personal story of my own, when I was in high school, my dear friend Jason . . . was, excuse me, was killed in a drunk driving accident. He was at a house party and drove highly intoxicated and struck a tree on an icy road. I know firsthand what can happen in these situations when young people get their hands-on alcohol and in situations without supervision. We all know that underage drinking puts our precious youth at risk of harm and death. Our children need us. Our children need us to set boundaries for them. They need us to be role models. They need us to teach them how to be safe. And they need us to create safe environments.

A social host ordinance will help parents to feel safer sending their children to another adult's home. Maui's social host liability regulation, holding adults accountable will deter underage drinking and will deter house parties that create the setting for binge drinking and underage drinking.

In conclusion, being a teacher and a parent, it's an honor and a privilege. Being able to contribute to this meeting and to speak in support of this ordinance is also an honor. Thank you all for coming together to help our children to be safe. And thank you for voting in favor of Maui's social host ordinance.

CHAIR LEE: Thank you, Mr. Muleh.

MR. MULEH: Thank you.

CHAIR LEE: Questions, Members? If not, thank you very much.

Mr. Clerk, may we have the next testifier?

DEPUTY COUNTY CLERK: Next person signed up to testify is Ann Hsu. To be followed by Aubrey Ahana.

MS. ANN HSU COLLINS:

Good evening. Good evening, Councilmembers. My name is Ann Hsu Collins. I'm a resident of Pukalani. I'm here to testify in support of the proposed social host ordinance. I'm a mother of two young children and I'm a, professionally, a marriage and family therapist.

My boys are still young, so my hope is that by the time that they are older, healthy choices will be easy for them to make, because our community will be structured to support them in making those choices. But it's going to take work on our part as adults and policymakers to create a healthier community that is easier to navigate past pitfalls and social pressures of substance abuse and underage drinking.

Unfortunately, underage drinking is currently a, is currently prevalent in our County. Our young peep, our young youth should not carry the entire burden of this issue. When it comes to youth substance abuse, we, as an adult, have a tremendous role to play. While it is important to educate our kids on the harm of underage drinking, it is not enough. Our children deserve a community of adults that are consistent with the drug and alcohol education and message they receive in the schools.

My hope is to create an ordinance that supports the message that is never safe for you to drink alcohol even in their homes. This law will hold us to a higher standard and keep our youth safe. This is one step we can take as a community to help create the environment I envision for my kids one day where making healthy choices is a easy one.

This ordinance will help save children, my kids, from the harmful consequences of underage drinking and even has the power to save lives. Anything we can do to protect our kids. Reduce underage drinking, reduce drunk driving; has my strong support. Please pass the ordinance for Maui County. Thank you for your time.

CHAIR LEE: Thank you, Ms. Hsu Collins. Any questions, Members. If not, thank you very much for coming, and your cat too.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the next person we have signed up to testify is Aubrey Ahana. To be followed by Tyler Fisher.

MS. AUBREY AHANA, MAUI NUI YOUTH COUNCIL:

Aloha. Can you hear me?

CHAIR LEE: Yes.

MS. AHANA: Okay. Aloha, Councilmembers. My name is Aubrey Ahana and I live in Wailuku, Maui. I'm a sophomore attending Kamehameha Schools and a proud member of the Maui Nui Youth Council. I'm here to testify in support of Bill 142, the social host liability ordinance.

I want to thank you for your support of Bill 142 throughout the previous month. I greatly appreciate the time we have been given to discuss matters on underage drinking and how we can help to prevent alcoholic substance abuse for minors to proceed. I'm also thankful that you listened to the community during the first reading on December 18 and decided to change the definition of gathering from ten underage drinkers back down to two. This action shows the community how much you care about protecting youth from underage drinking.

I have testified on this issue before and my concern remains the same. I have seen the harm of teens using alcohol to deal with stress and depression. I worry that my friends and peers are growing up in an environment that doesn't protect them from the serious dangers of underage drinking. We all, we all worry about teens drinking and driving, and no parent wants their child arrested or in harm's way.

The social host liability ordinance's main objective is to truly minimize underage drinking at house parties. We know it's a problem, and I believe that Bill 142 will be able to save the lives of teens, and creates the safety of our community, and protect the future of Maui County.

I think, I thank you Councilmembers for hearing my testimony this evening, and I ask that you vote in support of Bill 142 and enact it into law.

CHAIR LEE: Thank you, Ms. Ahana. May, questions?

Ms. King, and then Ms. Sugimura.

COUNCILMEMBER KING: I'm probably going to ask Councilmember Sugimura's question. But that was a good question last time. I just wanted to ask you, thank you for being here, Aubrey and for sharing your story. Are, are your, is your group and possibly other



students' groups going to also be involved in educating, you know, doing outreach to the students and parents on the, if we pass this bill?

MS. AHANA: I'm pretty sure. I would, I would love to do that. I'm pretty sure we're going to be doing that.

COUNCILMEMBER KING: Okay. Well, you might want to contact our Chair. Maybe she can organize another rap commercial or something to advertise it.

CHAIR LEE: Yea, sure.

COUNCILMEMBER KING: But no, I think it's important that the students are involved in the message too. Thank you.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: She read my mind. Thank you, Kelly.

CHAIR LEE: Oh, okay.

COUNCILMEMBER SUGIMURA: That was my question.

CHAIR LEE: Alright. Thank you, Ms. Ahana.

DEPUTY COUNTY CLERK: Chair, the next person we have signed up to testify is Tyler Fisher. To be followed by Kimberly Sanchez.

MR. TYLER FISHER, MAUI NUI YOUTH COUNCIL:

Hi. Sorry, I have to keep my camera to keep my internet good. Alright, aloha, County Councilmembers. My name is Tyler Fisher and I'm a resident of Kahului and a junior at Maui High School. I'm a volunteer youth member at the Maui Nui Youth Council and I have been engaged with this organization for about five years now. I am here to, to testify in support of Bill 142, the social host liability ordinance.

First of all, I'd like to thank you all for changing the ordinance . . . . I have been with the Maui Nui Youth Council for a good amount of time. And for a while now, I've been fighting to pass this ordinance. I'm passionate about it, and so is the community. I truly think that this bill will change our community for the better and help keep it safe. We know that youth get most of their alcohol from their home and their friends' home. We've seen this through surveys, and I've seen it firsthand. I've also seen alcohol

destroy families and its almost destroyed mine. I don't want to see my generation and the next generations go through or be the . . . when there's a simple solution that can help.

If this ordinance be, if this ordinance becomes law, I believe it, I will, sorry. If this ordinance becomes law, I believe it will greatly help our community. It will help our parents and adults realize that underage drinking has severe consequences. I don't want to keep seeing my peers fall into a rabbit hole of addiction, nor do I want to see them pass away at a young age due to an accident that could, that could've been prevented. So, I ask you all to please vote in support of this ordinance so we can be one step closer to help our community be a safer place for youth. Aloha. Mahalo for your time.

CHAIR LEE: Thank you, Mr. Fisher. Let's see, any questions, Members? If not, thank you again.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next individual we have signed up to testify is Kimberly Sanchez. To be followed by Ethan Baysa. Kimberly Sanchez.

MS. KIMBERLY SANCHEZ:

Yes. Alright, can you hear me?

DEPUTY COUNTY CLERK: Yes. Thank you.

CHAIR LEE: Yes. Yes.

MS. SANCHEZ: Thank you. My name is Kimberly Sanchez. I'm a resident of Kahului. I'm a preschool teacher at Lihikai Elementary School and I'm a single mother of two. And I'm here to testify in support of the Bill 142, the social host ordinance.

I would like to tell you that when I was a teenager, my parents didn't care if I drank or not; whether it be at home or away. As a result of this, I drank a lot with my friends and eventually got pregnant at the age of 16. I've been through a lot because of it. I'm sorry. It could have been prevented if my parents cared and knew the risks and dangers of underage drinking. And I, and it truly hurts me to see our children have to go through these kind of tribulations due to the neglect of a parent. We should always know where, where we are, where our kids are in support of, I'm so sorry. We should always know where our kids are and what they are doing . . . .

I am here today in support of the ordinance and awareness for the adults that don't know what, what goes on with their kids. But it will also open the eyes of the adults that are like the parent, that like my parents were. There will be a, there will be accountability for what the kids are doing. And we can't just use the excuse I didn't know, and actually have to step up and take responsibility for our kids. I would like to thank you for the changes in the ordinance and I, also for your great support. Councilmembers, I ask for you to please vote in support of this Bill 142. I apologize; this was my first time. Thank you.

CHAIR LEE: Thank you, Ms. Sanchez. You did very well. Any questions, Members?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Yea, Ms. Sanchez, yea, your story is compelling. Thank you very much for sharing it. And I just wondered if I could ask you that same question based upon your personal experience. When this bill passes on Friday, or if this bill passes on Friday in Council meeting, would you be able to help educate the community in any way? Besides being a teacher, are you also part of Maui Nui Youth Council?

MS. SANCHEZ: My son is.

COUNCILMEMBER SUGIMURA: Ah okay. Wonderful.

MS. SANCHEZ: Tyler Fisher, the one that--

COUNCILMEMBER SUGIMURA: Oh, that's your son?

MS. SANCHEZ: --that was before me. Yes.

COUNCILMEMBER SUGIMURA: Okay. Well, good job, mom. And would you be also willing to help educate then?

MS. SANCHEZ: Absolutely.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

MS. SANCHEZ: Any way I can. Thank you.

COUNCILMEMBER SUGIMURA: Thank you for coming forward.

MS. SANCHEZ: Mahalo.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Anymore questions? If not, thank you, Ms. Sanchez.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next individual we have signed up to testify is Ethan Baysa. To be followed by Andrea Maniago.

MS. ETHAN BAYSA, MAUI NUI YOUTH COUNCIL:

Hi. I'm Ethan Baysa. I live in Kahului. I, I am in seventh grade, and I am testifying in support of Bill 142, the social host liability ordinance. I would like to thank you, Council Chair Lee and Council Chair members for bringing attention to this serious issue. I am a youth volunteer member of the Maui Nui Youth Council and I've been part of the group for about a year now. I have been advocating in support of this ordinance from the beginning and have spoken on this issue many times before today.

I thank you, Councilmembers, for the listening to the testimonies in support of the social host liability ordinance or we wouldn't have gotten this far without your attention. I would also like to thank you, Councilmembers, for changing the definition of, of gathering from ten back to two or more underage persons. It greatly strengthens the ordinance that we have worked so hard on to make fair. We wanted to make sure of a social host ordinance focused on solving the problem of underage drinking at house parties, not creating new issues for our community. We have talked to hundreds of teens, hundreds of adults, and they all agree that this issue needs to be dealt with.

I continue to care for the ordinance because I believe in it. I wouldn't keep testifying without believing in the cause that I am fighting for. And I have faith that the social host ordinance will serve its purpose and help lower the number of underage drinking and protect youth like myself from the hazardous dangers of alcohol. So, I would like to ask you to vote in support of the ordinance on January 15. Thank you for your time.

CHAIR LEE: Thank you, Ethan. Any questions for this young man? If not, thank you, Ethan. Nice to see you again.

MR. BAYSA: Thank you.

CHAIR LEE: Mr. Clerk.

DEPUTY COUNTY CLERK: Next individual we have signed up to testify is Andrea Maniago.  
To be followed by the Reverend Dennis Barger.

MS. ANDREA MANIAGO, MADD AND MAUI COALITION FOR DRUG FREE YOUTH:

Me, sorry. Hi. Thank you so much for letting me testify. My name is Andrea Maniago. I'm a volunteer for MADD and for the Coalition for Drug-Free Youth.

I know you guys know my story, but I'm going to start it again. I lost my son in a drunk driving car crash after a graduation party. Like I've stated before, there were many things that led up to his death. It started at a graduation party that many people celebrate with alcohol, which is fine for adults. However, at this graduation party, there were a lot of underage children drinking, with no regards to their safety.

I was told at this party, that my son attended, due to the high volume of underage drinking there was a fight that broke out between an underage kid and an adult. Apparently, the underage child that was consuming way too much alcohol started to make advances on someone's wife. Of course, her and her husband kept asking this boy to stop. And when he didn't stop, it turned into a fist fight. That is when someone notified the police. I was told that the care, the kids all got scared and started running to their car and sped off. Yes, again, my son died from a drunk driving crash. However, that's not how it started.

When I started to volunteer . . . I've, I've learned a lot from this coalition. I still have young children and I'll do anything to continue to protect--

CHAIR LEE: Ms. Maniago. Ms. Maniago. We, we lost you on the last two sentences. Could you repeat the last two sentences?

MS. MANIAGO: Oh, I'm sorry. I don't know exactly where I was, but I'll just start with this. I still have young children . . .

COUNCILMEMBER PALTIN: Maybe mute your video so we can hear you.

MS. MANIAGO: Okay. Sorry. Okay, I hope you can hear me better.

CHAIR LEE: So far, yes.

MS. MANIAGO: Okay, so the only thing that I'm asking is for you to remember these three things. Our community, through surveys, have stated that underage drinking house

parties happen all the time. Two, we only want to protect our children, and that's why we're doing all of this. And three, the ordinance does not apply to anyone unless they serve alcohol to minors, plain and simple. Thank you so much for letting me speak today.

CHAIR LEE: We have one question. Ms. Paltin.

COUNCILMEMBER PALTIN: Sorry. Sorry.

CHAIR LEE: In your case, we need to see you, but not hear you. Okay, Ms. Paltin.

COUNCILMEMBER PALTIN: My question was just the part that was, it started out, when I started volunteering with MADD. And then we didn't hear the finish about that part.

MS. MANIAGO: Oh, you mean that was the start, when I started volunteering?

COUNCILMEMBER PALTIN: Yea, we didn't hear anything after that.

MS. MANIAGO: Oh, I think I said when I started with the, sorry, when I started to volunteer for the Maui Coalition for Drug-Free Youth, I learned a lot. That's what I was, and I didn't realize that alcohol was considered the number one date rape drug.

COUNCILMEMBER PALTIN: Oh, okay. I just, it was, I was like what, what was she saying? Thank you.

MS. MANIAGO: Oh, I'm so sorry. Sorry about that.

CHAIR LEE: No, no problem. We got it.

COUNCILMEMBER PALTIN: Sorry about my dogs.

CHAIR LEE: Okay, any more questions? If not, thank you, Mr., Ms. Maniago.

COUNCILMEMBER SUGIMURA: Chair, I have a question.

CHAIR LEE: Oh, okay. Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Andrea, thank you very much for being here, and all the community service you've done with MADD, the Hannah Brown checkpoints, and everything that I've seen you out there.

So, I have the same question for you, especially because you're so engrained in the community with this messaging, that would you be able to do community outreach to help educate the community about this bill should it pass on Friday?

MS. MANIAGO: Yes, of course. I will do anything that's pretty much asked of me, to spread the word.

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much, Chair.

MS. MANIAGO: Okay.

CHAIR LEE: Thank you. Thank you for your time.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next person we have signed up to testify is the Reverend Dennis Barger. To be followed by Laurie Tanner.

REVEREND DENNIS BARGER, MAUI COALITION FOR DRUG-FREE YOUTH:

Aloha, Council Chair Lee and Councilmembers. I wanted to especially thank you for giving up of your time on this Wednesday evening. Appreciate very much your service to the community by serving on the Council. My name is Dennis Barger and I'm testifying in support of Bill 142, social host liability ordinance. Thank you. Thank you very much for attention to this very important matter.

I'm a volunteer member of the Maui Coalition for Drug-Free Youth. And you can be assured that all of us will not just walk away once this ordinance takes, becomes law. We are committed to making sure that it becomes an integral part of the community, as well as the consciousness of the community. I, I am a retired Presbyterian minister and a 10-year resident of Kihei. In addition to my seminary degree, I have a master's degree in public health, and I served in the Mono County Health Department in California as a prevention specialist. I've worked with youth in both careers and know indeed this is a important issue for them and for all of us. I strongly believe that it is essential for the County to create alcohol control measures that will reduce underage drinking.

I hope you will support the creation of this countywide social host ordinance, because it's been shown in other communities to reduce the harms of underage drinking. We

must hold accountable those who hold gatherings where alcohol is freely available to minors.

And as you recall in my last appearance in testimony before you, I told you a story about a young woman who was indeed assaulted, and a young man who witnessed that assault, at least secondhand, could see that it was happening, and of course that was me. I want you to know that there are many people, many young people who are impacted by underage drinking, and not just the worst case. Not that it's any better that there's emotional abuse or emotional consequences to these parties, but it affects everybody. And it affects, usually, people in a negative way.

One of the things that nobody has pointed out yet that I'd like to identify is the fact that when the community does know about this ordinance, the word gets out. And it travels the coconut wireless through the young people. They will not gather together. They will avoid parties, especially if they know there's drinking and alcohol present; underage drinking especially. So, just, you know, the, the part of the community education will be to spread the word that if you party with your peers and there's alcohol present and it's, and it usually does get noisy, you're likely to get involved in something that's, you'd rather avoid. So, I think I want to encourage you to vote in favor of Bill 142. Mahalo.

CHAIR LEE: Thank you, Reverend Barger. Any questions, Members? If not, thanks again.

And, Mr. Clerk, may we have the next testifier, please?

DEPUTY COUNTY CLERK: The next individual signed up to testify is Laurie Tanner. To be followed by Prabu Segaran.

MS. LAURIE TANNER, MAUI COALITION FOR DRUG-FREE YOUTH:

Happy New Year, Councilmembers, Chair Lee, and welcome Mr. Johnson. I'm Laurie Tanner, resident of Kihei. And I thank you for this evening's opportunity to speak in support of Bill 142, the social host liability ordinance. Urge you to enact it for the welfare of Maui's children. And I'm a current volunteer with the Maui Coalition for a Drug-Free Youth, a former Hawaii public school teacher, and published healthcare author. I'm excited to testify, that we seem to have the best solution. We are on the right track to prevent and stop the devastating effects of alcohol use in the lives of underage drinkers in our County by removing easy access to booze and removing the very convenient locations to drink it.



Three months ago, the National Institute on Alcohol Abuse and Alcoholism, which advises the Federal Government Secretary of Health and Human Services published online "Reasons Young People Drink". One key reason is many youth have easy access to beer; wine; spirits; popular drinks like hard cider, which is up to 12 percent alcohol content; and MD, Mad Dog 2020, up to 18 percent content. They found among 12 to 14-year olds who drank in the past month, 96 and a half percent reported they got it for free the last time they drank. In most cases, adolescents have easy access to alcohol because it was available in someone's house and easy to consume there.

A few days ago, a memory came back to me. I came home way to late, and my father, outraged, grabbed me out of the sports car driven by a long-haired man. We'd been drinking, playing loud music at this adult male's house; two adult males, two underage girls. Needless to say, we were unsupervised. The social host liability ordinance addresses resident adults who make it easy for, for adolescents to drink on their property. Luckily, I didn't experience immediate harm and still regret causing this pain to my family.

One decisive goal County Council will be making, along with the community coalition's concern with adolescent welfare is to make alcohol harder to get and more difficult to consume by getting rid of the easiest places our kids tell us they drink, and encouraging all youth events to be supervised and alcohol free. The social host liability ordinance is a recommended policy level intervention that prevents underage drinking by holding adults accountable through appropriate fines when youth are found to be drinking on their property.

This is a remedy for our public health problem of underage drinking and its accompanying alcohol poisoning, physical fights, sexual assaults, and car and other accidents. How exciting it would be to roll out the social host liability ordinance, making adults more aware of this problem, more responsible by enacting this countywide . . . educating our schools and communities in time for safer graduation and sporting celebrations when we open up even more, showing our beloved families that we are serious about decreasing underage drinking and its harmful consequences in Maui. Thank you.

CHAIR LEE: Thank you, Ms. Tanner. Any questions? If not, thank you very much for coming.

And, Mr. Clerk, are you ready for the next one?

DEPUTY COUNTY CLERK: Chair, the next testifier is Prabu Segaran. To be followed by Kanani Higbee.

MR. PRABU SEGARAN:

Good evening, Council Chair Lee and Councilmembers. My name is Prabu Segaran. I'm a resident of Kula and I'm here to speak in support of the enactment of the social host liability regulation. As a father of three young children, I am alarmed by the statistics showing how bad underage drinking is in our count, in our County. I'm terrified, really, by the numbers of severe consequences like sexual assault and even death that our youth have reported to happen at house parties.

Myself, I was fortunate not to experience or witness any of those specific consequences as a teenager growing up on Oahu. But I do recall some acquaintances, you know, driving their car off the side of the road into a, into a ditch, into the, into the water while drunk, and nearly lost their lives.

I believe this ordinance is important for two reasons. So, first, given the growing body of evidence of how alcohol affects the developing brain and the associated risks of underage drinking in general, including addiction, suicide, I'd hope this ordinance would help to increase the awareness of these risks and possibly decrease access for my children and our community. And really change the culture in the long-term and, and the understanding of those risks.

So, second, in the short-term, I'm thinking about my own experience with house parties in particular as a teenager in Hawaii. It's clear to me that these are the situations where our children are at the greatest risk from alcohol. So, given that evidence there is that shows such ordinances decrease the number of kids that go to these parties in the localities that have enacted it, I think we should take this step to give our children the brightest future possible. And I thank you for your time in considering such a serious issue and ask for you to vote in support of the ordinance on Friday.

CHAIR LEE: Well, thank you, Mr. Segaran. Any questions, Members? If not, thank you again for coming.

Mr. Clerk.

MR. SEGARAN: Aloha.

DEPUTY COUNTY CLERK: Next individual who has signed up to testify is Kanani Higbee. To be followed by Jan Shishido. Kanani Higbee, we see your video, but you are muted on your end. We cannot unmute you on our end.

MS. KANANI HIGBEE:

Okay got it. Okay. Aloha. My name is Kanani Higbee and I'm urging the County Council to vote no. Yes, I am a mother of a freshman and a senior. Yes, I do work at a high school. The reason why I feel strongly against this is because I know that there's a problem with people drinking, but I don't think this is the right solution.

I was a teenager once. I never had to drink at house parties. All you got to do is give a homeless person \$20, they'll buy you alcohol, you go drink that at the beach. And yea, I did know people who would go into cars, drive, and they would get DUI's. So, how is this going to help these teenagers who continue to drink? Instead, it would be better if you did more education and, for these teenagers. If a teen has issues with this, it'd be good if there was enough counselors in schools, because I work at a school and there's one behavior counsel for 500 students. There's a lot of kids falling through the cracks.

There's not all kinds of parents looking out for these kids. Parents have to work two to three jobs and they have to neglect their children, because there's not enough affordable housing, because too many people are buying our workforce housing. So, there's a lot of socio-economic issues that are not being addressed that are making our teenagers more at risk.

And instead, what this ordinance does is it criminalizes, it criminalizes the groups that are the highest risk of addiction, which is Native Hawaiians. So, and you're going to put more Native Hawaiians in the prison system than there already are. They are overcapacity with Native Hawaiians. They're overrepresented in there. There's 20 percent in the whole State, but in the prisons it's 40 percent Native Hawaiian's.

You know, if you want to address this issue, what you do is you support the teenagers so that they have activities that don't require drinking. Like, maybe pay sports coaches a decent wage. Because right now, they don't get paid much compared to the mainland. And most of our coaches come from the mainland, because we recruit so many teachers. And most of the coaches are teachers. So, they know that it's not worth it to be a coach. So, we don't have that many coaches for our sports, so we don't have much activities for teenagers.

There's so many ways you can address this issue without criminalizing, without attacking these groups of people who are higher at risk. You can put funding in the right places to drug treatment programs. Outlaw those prison for profits. Use your privilege when you go to the State Legislature. Ask these Representatives and State Senators to . . . bill. Does anybody have any questions?

CHAIR LEE: Does anyone have a question for Ms. Higbee?

Yes, Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Higbee. Mahalo for your testimony. It's a perspective that we haven't heard much of in our testimony and probably for the reasons that you described in your testimony. So, I, I wanted to ask as a, as a, an adult now, do you, have you seen that kind of situation that you described when you were a teenager happening still, where alcohol by teens or early 20 year olds are being consumed not just at house parties? Or do you think that they would just find somewhere else to go to drink?

MS. HIGBEE: You know, when I am around campus and I listen to the stories that these kids are telling, you better believe they are not drinking at no house party. They are drinking in places that are very rural, that are like north Maui, where when they drive home, they're driving on this, you know, really crazy road. It's not safe at all. They like to drink at beaches, and they have their own parties there. So, it actually makes the situation even more dangerous, because they have access to alcohol.

They just have to ask their older friends who are 21, their older siblings for alcohol. Or they can pay a homeless person to buy alcohol. I did that as a teenager. And they get alcohol. Like, if there's a will, there's a way. And then they take it to these beaches that are in the middle of nowhere that are far from people so nobody can hear, and they keep it on the downlow. And then they drink and then they're driving on these dangerous roads. So, it's not going to stop the issue.

If you want to stop the issue, there's better ways. Education helps. You know, supporting families help. Supporting teenagers help in other ways. But criminalizing doesn't help.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Higbee. That's kind of what I recount as a teenager too. Mahalo. Mahalo, Chair.

CHAIR LEE: Thank you.

Ms. Paltin.

COUNCILMEMBER PALTIN: Thank you, Chair Lee. Thank you, Ms. Higbee, for your testimony. I just was wondering if you read the bill? It was my understanding that it's not a criminal offense that would allow for folks to go to jail. So, I just was wondering where you got that information from.

MS. HIGBEE: Well, because when, I feel that it's criminalizing because it's going to involve the police and it's going to involve the court systems. And rather than dealing with, with it like it's a disease or like it's a socio-economic issue where you're putting funding in the right places or supporting drug rehab, instead you're going to be putting money into police and you're going to be putting money into the court system. And you're going to treat them like they are doing something wrong when in reality there's socio-economic issues and you have a lot of privilege to make things better for the community if you just move funding around in the right places to support the community. This is a socio-economic issue that's being fed in the wrong ways.

COUNCILMEMBER PALTIN: But you, you do understand that it's not a offense that would allow for jail time?

MS. HIGBEE: Right. But it does involve the police and the courts. So, it basically teaches these young people that you guys are criminals cause we're going to treat you like a criminal. And we're going to get the police on you and get the courts on you and your family, even though you suffer from high rates of addiction because you're Native Hawaiian, you, you've been oppressed by the United States, by the State of Hawaii, by the County not doing enough to pass these acts, pass through Congress to help rehabilitate the Native Hawaiians.

And people are at risk here because they're working two to three jobs because they have to pay their rent, they have to put food on the table. These are socio-economic issues where kids are getting neglected and they're being taught that they're a criminal when it's actually a socio-economic issue. They're falling through the cracks at no fault of their own when we can shift funding around so that we can help them so they're not falling through the cracks.

When you have a police officer go to them and you write them up a fine, they go to court, they get the idea that they're a criminal. It's not like their fricken earning a scholarship or something they accomplished and they're a hero. They're being treated like a criminal.

COUNCILMEMBER PALTIN: Thank you.

MS. HIGBEE: Yup.

CHAIR LEE: Any more questions? If not, thank you, Ms. Higbee, Higbee, for coming. Thank you.

Mr. Clerk, may we have the next testifier?

DEPUTY COUNTY CLERK: Chair, the next person we have signed up to testify is Jan Shishido. To be followed by Vanessa Kina.

CHAIR LEE: Hi, Jan.

MS. JAN SHISHIDO, MAUI COALITION FOR DRUG-FREE YOUTH:

Good evening. Hi, Chair Lee. Good evening, Council Chair Alice Lee. And good evening, Councilmembers. Yes, my name is Jan Shishido and I'm a resident of Kahului. I am the Vice-Chair of the Maui Coalition for Drug-Free Youth, as well as in support of the social host ordinance.

I just wanted to first thank Councilmember Paltin to recognize that, yes, this ordinance is not criminalizing our youth. It's actually help, helping our youth understand that their parents need to be more involved and the parents need to have the responsibility to keep our youth protected.

So, anyway, saying that, I'll continue. So, you know, having been involved with underage drinking prevention, you know, for many, many years now, and even looking at the harmful, of other harmful substances, you know, I'm really appreciative, appreciative of the coalition that has taken this route. You know, I remember years back when all we talked about was treatment, treatment. But that's no, no longer the case. I think we finally came to where prevention has been the key.

So, this Maui social host ordinance will definitely lead the State in the efforts to protect our youth, educate the adults, and display our support for a safe and healthy community. I can go on, but then it got to a point where I'm just going to throw away my speech because I am just at awe and it's just so heartfelt of all the community, public, and all the community that has come out to testify this evening. And you know, I just wanted to thank the police for their support and how this is really going to enhance their enforcement. It's going to assist their enforcement when it comes to underage drinking.

I really want to thank, like I say, the community members that have come out to testify. And we've heard so many stories, and just the amount of, I guess, own personal stories. I especially want to thank the Maui Youth Council for the youth that have come out. You know, they, you've seen them before in your, in your meetings and you've seen how much they've grown in their testimony and how they present themselves, and the knowledge that they've gained because of the leadership that has been given to them in the Maui Nui Youth Council. And I guess, you know, you've heard so many,

you've heard the info, you've heard the statistics, and I know that we really want to keep our, our community safe.

And so, lastly, I just wanted to thank you, Councilmembers, for really listening and getting this public hearing together so we could really get a big understanding of what we're faced with. And I'm just so happy that if this goes through on Friday, that we will be the first County in the State of Hawaii to be recognized and to say that we really do care about our youth. And so, thank you for this evening. And thank you for always listening to us. Mahalo.

CHAIR LEE: Well, thank you for coming.

Mr. Molina.

COUNCILMEMBER MOLINA: Yes, thank you very much, Madam Chair. And thank you, Jan, for your testimony and for adding your thoughts with regards to Member Paltin's question. Yes, this is basically, just adds a fine component to this and will not, nobody will go to jail over this.

But when I was approached by the coalition to sponsor and shepherd this bill through my Committee, I was very, very happy to do so. I wanted to give kudos as well to my staff; Laura McDowell, and also to Gary, and everyone else who working with you to help fine tune this bill, and to my colleagues as well.

We went through three meetings. We vetted this thing out and to make sure that it complied with the law. Big mahalos also, I think they should get mentioned as well, is Corporation Counsel Ms. Stephanie Chen--

MS. SHISHIDO: Yes.

COUNCILMEMBER MOLINA: --and also to the Prosecutor's Office. So, I want to make sure that everyone gets the thank yous and gets recognition should this bill pass. And as you said, it will be the first in the State, so this is a landmark legislation. So, again, thank you to you, everyone in the community, and also to all of our County personnel involved with this and making this happening. Okay. Thank you. Thank you, Madam Chair.

CHAIR LEE: Thank you, Member Molina, for recognizing all the people that helped bring it, this bill to this point.

Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Thank you, Mr. Molina, for your summary and all the hard work that you've done. So, Jan, nice seeing you. And I just wanted to ask you the same question about the Maui Coalition for Drug-Free Youth and working with the Maui Nui Youth Council. So, if this bill was to pass, would your organization then, who, who has been shepherding this bill through, be able to do education in the community and do you have a network of people that you would be able to do that?

MS. SHISHIDO: Yes. So, you know, we've been engaged with many of the, the DOE personnel. As you can see, some of the DOE teachers have come on board. But I think what, what we've looked at also was the school PCNC, they are the Parent Networking Community personnel, who get it, who are sort of the liaison between the school and the parents. And so, definitely yes, we would definitely put education to the community.

I'm a member of the student, I'm sorry, the school council board for Lihikai School. So, for sure, it needs to start from the elementary school, because I've, I've experienced myself having a student going to intermediate and being suspended for alcohol, you know. So, it's important that we do send out that education. So, of course, the coalition is going to be really stepping up again and making sure that education goes forward, not just to the schools but also to organizations and other adult communities.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR LEE: Yes, Member Kama.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you for being here, Jan. You know, something just came to my mind, you know, about how much education is really needed out there because, you know, there's so many schools and so many students in our public school system that probably haven't gotten this message. Because what I'm hearing the messaging coming from lots of young people who come from a different economic stratum than what, you know, other students come from.

So, is the PTA's and the school community councils and the parent community networking centers in the schools, are they still up and running? I mean, are they still in existence? Cause I remember that there was a time when those were the liaisons between your school, your community, your parents, your students. So, is that still active some way, some place?

MS. SHISHIDO: Yes. I'm sure, as far as I know, well, actually to be honest, the SCC has, I think, sort of been kind of on the fence maybe. But as far as I know, Lihikai School, we still meet every month, you know. We still have an agenda. We go over, you know,



all the school activities, as well as many of the accreditation things that they're going through. But what's, what's interesting that when you mention about the PCNC's, I think that, that is going to have to really be stepped up. Our PCNC at Lihikai is amazing. And she, you know, she really tries to keep, keep in tune to the parents, with the parents.

And we hope that, and I, I've been seeing how PTA's are slowly getting to be more virtual. So, I'm hoping that we can be reaching out. I think the main thing we're going to start with is, is hoping we can get, first of all, getting in touch with our district superintendent. Yea, that would be one of our first steps as well. And we've had conversations with her. Thank you.

COUNCILMEMBER KAMA: Thank you, Jan. Thank you, Chair.

CHAIR LEE: You're welcome. Any more questions?

Yes, Ms. Sugimura.

COUNCILMEMBER SUGIMURA: In line with Ms. Kama's question. And, Jan is a retired teacher. And I know that you understand the school system well, so do you think that if this bill passes on Friday, which is second and final reading and it becomes enacted July 1, is that enough time to do education with the whole DOE system from what you said? It made me wonder.

MS. SHISHIDO: Yea, probably not. But, you know, with all they're going through, I can see where there, there is going to be a very, very, very lengthy timeline, especially how the DOE works, you know. But I think we're going to be very active and we're going to be very rigorous in, in involving, to get out the message of this social host ordinance. So, really, we'll be looking forward to Friday.

COUNCILMEMBER SUGIMURA: So, you'll try your best is what you're saying. Thank you.

MS. SHISHIDO: Yes.

CHAIR LEE: Yes, Ms., Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Aloha, Ms. Shishido. Mahalo for your testimony. So, with the education involving this or related to this bill be something like, you know, the, the, the Council just enacted an ordinance, a law that would penalize parents for allowing underage drinking to occur?

MS. SHISHIDO: I think the, the main message is, I'm sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: Oh, on their property.

MS. SHISHIDO: Yea, so I think the real message that, that is going to be given out is that we really want to be sure the prevention of, the underage drinking prevention. And so, I think the real message here is to allow and edu, have the students educated, as well as parents educated, in this, in this new age or new time. You know, we talk about a new normal, but I think we have to think about more of an environmental change; a change in attitude, a change in what we really want to see our youth to be. And so, yea, educating the, the students as well as the parents are going to be crucial.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Cause this bill is about a penalty. So, that would . . . education that children would kind of take home; is that parents, adults, property owners, renters would be penalized if they're found to have underage drinking on their property.

MS. SHISHIDO: Yes. And so, we're hoping that it's going to diminish a lot of the house parties, and it's going to, so that property owners will realize that there is a, a penalty; you know, \$200 for first offense, \$500 for the second, and \$1,000 for the third in, within a year. So, I think we need to have adults be accountable. And so, yes, the message about penalties and not, not criminalizing.

VICE-CHAIR RAWLINS-FERNANDEZ: It, it's with, within a year, but it could also be all in the same night is, is how the bill is drafted.

MS. SHISHIDO: That I'm not sure. That I would have to defer to our staff.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Shishido. Mahalo, Chair.

MS. SHISHIDO: Thank you.

CHAIR LEE: Any more questions? If not, thank you, Jan. Good to see you again.

MS. SHISHIDO: Yea, good to see you. Take care. Mahalo.

CHAIR LEE: Mr. Clerk. Thank you. Clerk. How many more do we have.

DEPUTY COUNTY CLERK: Chair, including the next testifier, there are currently five testifiers remaining.

CHAIR LEE: Okay, so--

DEPUTY COUNTY CLERK: If there--

CHAIR LEE: --there's no need to take a recess, right? Okay. Let's keep going.

DEPUTY COUNTY CLERK: Just a reminder for those in the meeting, that if, if you are in the meeting and you have not testified yet, but would wish to do so, please notify us now in the meeting chat so that we can add you to the testifier list.

The next person signed up to testify is Vanessa Kina. To be followed by Shari Yamamoto.

MS. VANESSA KINA, KIWANIS CLUB OF THE VALLEY ISLE:

Hi, can you hear me?

CHAIR LEE: Yes. Yes. Hi.

MS. KINA: Hi. Good evening, Council Chair Alice Lee and Councilmembers. My name is Vanessa Kina and I am a resident of Wailuku. And I'm here to speak in support of the social host ordinance.

I am a board member of the Kiwanis Club of the Valley Isle and a grandma, grandmother of two teenagers and a concerned community member. Our club had a presentation by the Maui Coalition for Drug-Free Youth, and I was quite surprised to hear that our Maui youth consume more alcohol and binge drink at higher rates compared to other counties in the State. I would not want my grandchildren drinking in other people's home or allow underage drinking at my home for that matter.

I feel the social host ordinance simply places additional responsibility with the adult, to keep them from turning a blind eye on underage drinking on their own property. Again, I am in support and thank you for your consideration to vote in support of this ordinance. Thank you for your time.

CHAIR LEE: Thank you, Ms. Kina. Are there any questions? If not, thank you again for coming.

Mr. Clerk.

MS. KINA: Thank you.

DEPUTY COUNTY CLERK: Next individual we have signed up to testify is Shari Yamamoto.  
To be followed by Bryan Tayona.

MS. SHARI YAMAMOTO, KIWANIS CLUB OF THE VALLEY ISLE:

Hi. Good evening, Councilmembers. Can you hear me?

CHAIR LEE: Hi. Yes, we can.

MS. YAMAMOTO: Hi. My name is Shari Yamamoto. I'm a resident of Wailuku and I'm here to speak in support of the enactment of the social host liability, liability regulation. I am a parent of a 17-year old. I'm a concerned community member and the president of the Kiwanis Club of the Valley Isle.

Our mission is global organization of volunteers dedicated to improving the world one child and one community at a time. Our vision will be a positive influence in communities worldwide so that one day all children will wake up in communities that believe in them, nurture them, and provide the support they need to thrive. As you can see, we are passionate about our youth and very concerned about Maui's underage drinking and house parties.

I feel that a penalty will deter these parties from happening. Again, I'm in support of the passage of the social host ordinance. And thank you for your consideration to vote in support of this ordinance.

CHAIR LEE: Thank you, Ms. Yamamoto. Any questions? If not, thank you very much.

Mr. Clerk.

DEPUTY COUNTY CLERK: Next individual we have signed up to testify is Bryan Tayona.  
To be followed by Vernon Kalanikau.

CHAIR LEE: We can't hear you, Mr. Tayona.

MR. BRYAN TAYONA:

Good evening, Council Chair Alice Lee and Councilmembers.

CHAIR LEE: Good evening.

MR. TAYONA: My name is Bryan Tayona. I'm a resident of Wailuku, Maui and I'm here to speak in support of social host liability regulation. I'm a board member of the Kiwanis Club of the Valley Isle and belong to Grace Bible Church of Maui.

Now, I'm not here to preach, I'm not here to come down on anybody or anything like that. Speaking from experience, growing up on Oahu, I've been to those house parties. Underage drinking was present. And, you know, there, there's been cops to those parties. We've had fights. We got people getting hurt. I've seen a lot of teen pregnancies while I was in high school. Do we need more of that on Maui? . . . , you know. What we, what we'd like to do is, you know, change minds; change the mindset of the community and, and, you know, get these adults that are supplying these kids with alcohol to open their eyes and look at the consequences.

We need to renew people's way of thinking, of looking at alcohol. It's not about just fun. It's not what you see on the commercials. It's not what you see in the ads. We have to show them the reality of what happens when people get hooked on it and they grow up as adults living that same life. I've had friends that were partying in their early 20's and they had kids at home; grandma and grandpa taking care the kid. Do we really want more of that? I mean, we need to instill accountability in this community. We need to see our kids grow up to be successful adults.

We'd like to see our police officers not have to waste their time and energy dealing with these kind of manini kind of fights at these parties. We need to keep our officers out of needless danger. Paramedics, same thing. Who's, who's the first guys to show up when somebody gets beat up is those guys. We need to practice good stewardship of our tax dollars. . . . might think, oh I'm just throwing a party for my son or my daughter, whatever, it's not hurting anybody. Eh, guess what, what happens when that kid that leaves that party crashes their car? Eh, it's affecting other people. We're paying for that.

Now, I read an article from 2013, there was \$212 million worth of money spent back then on Maui for this kind of stuff. Imagine the kind of, you know, programs we could have used that money for instead. You know, that's all I have. Again, I hope to change minds. I hope to change hearts. And, thank you for your time. Thank you.

CHAIR LEE: Thank you, Mr. Tayona, for your message. Questions, Members? If not, thank you again.

And, Mr. Clerk, may we have the next testifier, please?

DEPUTY COUNTY CLERK: Next individual signed up to testify is Vernon Kalanikau. To be followed by Kahealani Garcia.

MR. VERNON KALANIKAU:

Aloha, Chair, and aloha, Councilmembers. Happy New Year. You guys can hear me?  
You guys can hear?

CHAIR LEE: Yes. Yes.

MR. KALANIKAU: So, so I embrace, you know, I've been listening to this for about an hour and I embrace every comments that made out so far, especially for the underage drinking and minors drinking. It is a problem, it is an issue. As one Native Hawaiian, you know, I, I live in . . . since the 60's. But, you know, my side family large, my wife's side family large. I surrounded with family on Kenolio Road. And there's always constant knocking on the door, eh, you get shoyu, you get ketchup, you get whatever, right? It's like your little Hawaiian Homes action here.

So, when come to the, the drinking part at parties, we do really well in our families to keep that in check; making sure that, you know, no one's drinking, and minor, underage. If that happens, then we take care of that as adults, however way it's appropriate at that time. So, in our large families, we do really well educating that way.

What I having difficulty about supporting this bill is the kuleana responsibility that falls on the property owner, like myself. Surrounded with family, I busy, I'm always out in the community. I work at the school, I've been at Lokelani School 30 years now. And, I, I just adding more to my plate right now. What I'm concerned about is the responsibility to the homeowner or the property owner.

I mean, let's say, I come home and there was a, in, a case on my property where my mom and my sister live nearby, next door, underage drinking, minors drinking, they come over to my place and something happen, I come home. I, I don't think that's fair on my end. I think I would like to figure out, I don't know how that would be. Like, because I deal with this with my boys right now. You know, not the drinking part, but with truancy. As a parent, you know, we only can do so much. And, you know, they might come home one day. They might be okay, but not their friends. And, and we might be busy on the land, and not knowing what's going on, on my property or upstairs in my house. So, this is something that I just got, and I wanted to participate in.

I, I support everything about helping the youths, educate the youths. At Lokelani School, our, our drug counselors do, do well. Our PCNC, they do really well and educate constantly. And, and that's important. And I, and what MADD and other organizations had been doing, that needs to continue. And the families, especially for

Native Hawaiians, that's a challenge. You know, I think it's, you got to educate, but you cannot be hard head too, yea.

Yea, I cannot support this. And, and to, you know, you know, there's comment made earlier; reduce house parties. Now, is that just for alcohol kind of parties, or non-alcohol parties? Because we, we like get together as family without alcohol too. So, I no support this only for that reason, as a property owner. Thank you.

CHAIR LEE: Well, thank you, Vernon.

Yes, questions, Mr. Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair, for the opportunity. Can you hear me?

CHAIR LEE: Yes, now we can.

COUNCILMEMBER SINENCI: Mahalo, Mr. Kalanikau, for your testimony today. And you know, I did mention, or I did hear you say that, you know, your, your family, your household, you know, drinking is, is not something, you know, that you do regularly. And so, I just wanted for know, you know, do the kids, if, if your, if you're being raised in a household that is, you know, where you're not surrounded by that kind of behavior, do you see, do you see your kids? I, I know you said, you were talking about other kids, I just wanted to ask you the question that, have your kids, you see them interested in alcohol that . . . them being brought up in your household?

MR. KALANIKAU: Yea, so--

COUNCILMEMBER SINENCI: That's not a . . .

MR. KALANIKAU: Yea, in my household and next door with my nieces, there's, there's not even a, a asking from the youths or our kids; nieces and nephews. They know that that's a no-no; you wait till you 21 years old. But I will say this, Councilmember Sinenci, that you only can do so much. They know if the underage ones come, you know, they coming from someplace else. They, they drinking or getting intoxicated somewhere else; not, not on our family properties, because we do good on that, keep that in check.

But when they arrive, we figure out how we going to get a hold of the parents or relatives. You cannot be here, go where you came from. And that's been kind of our practice, 30 plus years since I've known, been with my wife. But, but it is a concern in our families; underage drinking, minors drinking. It's a big no-no. But I no like the kuleana.

COUNCILMEMBER SINENCI: Okay. Mahalo.

MR. KALANIKAU: I no like the responsibility.

COUNCILMEMBER SINENCI: Mahalo. Mahalo for that. I, I think another thing that we heard tonight was, you know, Native Hawaiians being, you know, susceptible, you know, and, and one of the, the main, you know, you know, alcohol contributes to the breakdown of the family system in a lot of the Native Hawaiian households. And of course, you know, we've had Hawaiian practitioners that said, you're right, as natives, you know, very similar to a native Indian, you know, alcohol is just, you know, for some, for some practitioners alcohol is just not part of our makeup. And so, when we do indulge in, in excessive alcohol consumption, you know, it does create those problems for, for particularly native, native peoples. So, do you feel that it's a, you know, like some have mentioned tonight, a social economic issue that we also should be addressing?

MR. KALANIKAU: Yea, yea, definitely. Yes.

COUNCILMEMBER SINENCI: Mahalo. Mahalo, Chair.

MR. KALANIKAU: Mahalo.

CHAIR LEE: I saw Ms. King's hand up, and then Ms. Sugimura.

COUNCILMEMBER KING: Thank you, Chair. Aloha, Vernon. How you doing?

MR. KALANIKAU: Aloha.

COUNCILMEMBER KING: Hey, I just wanted to say, you're like the poster child for why we're doing this. Because that's the whole point of it is to educate, is to have parents who, who think and act like you and don't allow that, the drinking in their homes and don't allow their kids to go somewhere else drinking. But also wanted to just assure you that this is not trying to close down all house parties; it's just underage drinking, so, you know. And I, and I didn't know I could come to your house and get some shoyu, but I might do that one of these days.

MR. KALANIKAU: Thank you. Thank you.

CHAIR LEE: Ms. Sugimura.

COUNCILMEMBER SUGIMURA: Thank you, Vernon, for testifying. So, based upon what you said and some of the testimony prior, I, I'm a little bit concerned if you think that this bill would target our Native Hawaiian people? Because I--



MR. KALANIKAU: No. No.

COUNCILMEMBER SUGIMURA: Okay.

MR. KALANIKAU: It's something that I see a lot, yea. It's not, but, and I don't want to label this, like, as a precursor or example like what the Native American Indians went through and still going through. Most likely us Native Hawaiians fall in that realm or bracket, with all the struggles Native Hawaiians and Indians went through, you know, in history. And alcohol might be, you know, one of the ways of dealing with individual problems with our culture and stuff like that. So, no, it's just something I'm concerned with and I, I see. Yea, no, I, I didn't mean that that way, Yuki Lei.

COUNCILMEMBER SUGIMURA: Good.

MR. KALANIKAU: But it's, but it's a concern though, yea.

COUNCILMEMBER SUGIMURA: Yea.

MR. KALANIKAU: In the Native Hawaiian community, yea.

COUNCILMEMBER SUGIMURA: But I also hear you saying something that I think is important in terms of education, that just educating the community so they can be more like you, I think, for parents to be more like you.

MR. KALANIKAU: No, I think everybody--

COUNCILMEMBER SUGIMURA: I think it's the practice.

MR. KALANIKAU: Yea, I think everybody doing what they supposed to do. And then again, at the end of the day, it becomes a choice, yea, for the, whether, whether it's a teenager or a young adult. There's only so much we can offer them. The, you know, my oldest boy just finished Youth Challenge. Then my youngest one leaving next Monday. So, you would think, yea, we doing okay, but it's, it's choices that they, they make. But we only can nurture and aloha them the best we can.

So, all these education stuff I heard in the last hour, it's that still continue. And, and like for us, we continue. And, yea, yea we're just being examples, but at the end of the day, you know, even the adults, they got to be reminded. Maybe not so much the educated word, but reminded because they, they hard head. They hard head, yea.

COUNCILMEMBER SUGIMURA: Oh, what--

MR. KALANIKAU: And that's the problem.

COUNCILMEMBER SUGIMURA: Yea. I mean, what you're saying is so important, cause you're talking about family values and how you handle your kids. You know, you never stop actually.

MR. KALANIKAU: Never stop, but I, I never, the, well, I never had the manual either, yea; it was a day by day basis, yea, so. I thought I had um, but no.

COUNCILMEMBER SUGIMURA: Thank you. Thank you.

MR. KALANIKAU: Thank you. Thank you.

CHAIR LEE: I know what you mean, Vernon. Any, any more questions? If not, thank you. Good to see you.

MR. KALANIKAU: Thank you. Thank you.

CHAIR LEE: And then we have our next testifier, Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, the last person we have signed up to testify is La'akea Low.

MR. LA'AKEA LOW:

Aloha mai kakou.

CHAIR LEE: Hi.

MR. LOW: *(Spoke in Hawaiian.)*

I just wanted to testify again in opposition to the bill as it's written. Again, I think it's an overreach and I think that's why we would be the first, because every other County notices that. In terms of an overreach, I think like response costs for one, like having to pay for cops and ambulance, I think is an egregious overreach. I mean, if that's the case, then, you know, hikers, swimmers, who disobey warning signs on the beach or on the trails should also have that kuleana.

Also, tacking on unpaid fees or fines. So, police respond and now they're checking all the tags on the cars and adding that on to what you got to pay on top of families

struggling during COVID economy. You know, you have families hanging on by a thread and now you want to tack on all these fines and penalties. I think it just adds to the trauma that a lot of families are going through right now. I think all of us can agree that we all want to work toward reducing underage drinking. I don't think this is the vehicle to do that.

You know, I hear a lot of people talking about education, but I don't see education outlined anywhere in this bill. You know, we have a lot of families in, who work multiple jobs in multi-generational family households. And, you know, for any parent to think they know what's going on in their house 100 percent of the time, I think they're fooling themselves if they think they can know that for sure at all times, 24/7.

I also worry about like complaints made. As we see like the gentrification of our tightknit communities, we see a lot of people moving in from America and the prolifer, the proliferation of Karen's all over the place making false statements and calling cops. And so, you know, I hope that if a complaint is made and no one's found to be in violation, that there should also be penalties for making false reports.

Other concerns I have is like where the money will go from all these fines and penalties. Like, what, what are we going to invest in? You know, I also worry about the review requirements. I think that, like, the addresses should be included, as well as ethnicity, to make sure that certain communities aren't targeted depending on where they live or what ethnicity they claim.

And lastly, just to wrap up, I hear a lot of statistics and studies being thrown out. I hope they can provide links for everyone to review and I hope these are peer reviewed studies with methodology included so that they're more accurate and not just reports. And so, I hope this can be a data driven policy instead of like anecdotal evidence. Mahalo.

CHAIR LEE: Thank you, Mr. Low. Are there any questions? But you raised a lot of good questions. No questions.

Mr. Clerk.

DEPUTY COUNTY CLERK: Chair, one more person has signed up to testify.

CHAIR LEE: Aight.

DEPUTY COUNTY CLERK: That would be Pena Kalima.

CHAIR LEE: Okay.

MS. KAUPENA AND KRYSTAL-ANDRE KALIMA:

MS. KAUPENA KALIMA: Aloha. We are the Kalima Ohana; Krystal-Andre and myself, Kaupena. We are a family of two right now and this is a good topic to bring up. For me, I'm in the middle. I am a parent. I wouldn't want underage drinking in my home. But this bill doesn't actually touch bases with other things besides a home; it could be outside the house or elsewhere. If I'm, I'll be the responsible party where people have choices, and other parents, and have responsibilities for their own child besides my own. And for my daughter, how would you think of it?

MS. KRYSTAL-ANDRE KALIMA: Aloha. My name is Krystal Kalima. I have, I'm 100% for decreasing underage drinking. You know, I've been to school on Maui and I know for sure that in our educational system the topic has been brought up, but it's still up to the individual to, you know, make that choice, make that decision about what their drinking habits or drug usage is going to cause for them and for the community.

I just wanted to point out that, you know, this bill, it sounds very good. It sounds like, you know, you guys are targeting, trying to help people, trying to decrease the statistics but it's not just within the household. There's other places that teenagers and underage people go to drink.

And, you know, I know when I was younger there used to be the "Be a Jerk" campaign and, you know, over time, that kind of died out. And, you know, you don't see that anymore. You don't see people reaching out and kind of informing even adults about that. So, it's not just the kids, it's the adults too that need to be aware of their decision and their place in this, you know, in this issue. And so, maybe we could also target how the adults are educated about this. And, you know, kind of like the overall thing that we're trying to decrease here.

There are a lot of things that I agree with La'akea Low. He's actually a colleague of mine. We go to college together. And, you know, he'll, you know, when he's talking about, you know, targeting specific communities, you know, it is very difficult because, you know, when you're living in a certain community and, you know, people pass by, you know, having parties or whatever, just having a good time with your ohana, you know, people get kind of get the wrong idea and, you know, they'll make false accusations.

So, you know, it's very important that we try and make this bill, if it does pass, you know, make this one that, you know, is going to benefit everybody and not pull down,

you know, the wrong people; but try and uplift Maui as a whole and, you know, as a bigger Hawaii. Thank you.

MS. KAUPENA KALIMA: And a quick thing is, she was, my daughter is 21. So, in, what, what two, what two times in high school did you learn about drinking still?

MS. KRYSTAL-ANDRE KALIMA: Oh, so, we had health classes in the 6th grade at Maui Waena and also in 10th grade at Maui High School. We were, we were taught about what, you know, alcohol does to the body, how it affects you when you are not fully developed, also on drug use as well. So, there is educational programs for high schoolers. And, but yea, we just got to make sure that, you know, it's not just the young ones targeting, but educating above, too.

MS. KAUPENA KALIMA: And individual choices and as a whole. Thank you so much for your time. Any questions from anyone?

CHAIR LEE: Yes, Ms. Paltin.

MS. KAUPENA KALIMA: Aloha. Go ahead.

COUNCILMEMBER PALTIN: Aloha. My question is, sorry I forgot your daughter's name, Pena.

MS. KAUPENA KALIMA: Krystal-Andre, yes.

COUNCILMEMBER PALTIN: Krystal. My question is for Krystal. And I just was wondering your thoughts as to the effectiveness of the health education that you were seeing in 6th and 10th grade. And if you thought that was enough, like, if it should be every year?

MS. KRYSTAL-ANDRE KALIMA: Thank you for the question. So, for me personally, you know, it was enough because, you know, we were introduced to it, you know, in middle school and then reintroduced in high school. You know, for some people try, hearing it every single year is going to get boring. They're going to just shut their ears, especially at that age, you know, teenagers, you know, adolescents. They're just going to shut their ears and then they're going to tune out, and they're going to hear whatever they want to hear.

So, it's, for me, it was good. You know, I still retained that knowledge to this day, you know. And especially if they plan to, you know, have a healthy life, you know, and they want a future, you know, most students do listen. But, you know, all the things of that, that time of your life, you know, peer-pressure, you know, having older friends who get

to drink and, you know, feeling left out of the fun, quotations to that "fun" is, you know, what gets people into those situations.

MS. KAUPENA KALIMA: I know the question was for her, but I would like to add in, you know, sometimes it's, it's the household, too. Our household is our community with our family members, are strong. We always, drinking was, we're not having parties; we're not going to parties, I'm not at the bar. I not saying that's the, bar and party is the, the main point. But for my daughter, it wasn't something that she grew up with. So, that that could, I'm glad that my children made that kind of choice, cause those wasn't in her environment. People's environment for our children in Maui County might be different than ours, but it's not saying it's not, not right. But this, for our environment was just a very different environment in her upbringing.

COUNCILMEMBER PALTIN: I think too, you know, just having the discussion, whether it passes or not is beneficial. And you know, in my household as well, my, my daughter was sitting next to me before she had to go to sleep and watching it and, and hearing all the perspectives as well. She's eight. So, I think, you know, just for the, the kids knowing that maybe we're not perfect in this bill, but that it's coming because there's been too many incidences of what the testifiers had said that we're, we're trying to do things.

And, and like the one testifier had said that, you know, doing this and not funding the programs, it won't be enough. It, I think not any one thing is going to work and it's going to take, you know, all the things of shifting the budget, like how was said, as well as other things. But yea, I don't think, you know, any kind of legislation is going to be the perfect solution.

MS. KAUPENA KALIMA: Yes. Yes.

CHAIR LEE: Any more questions?

MS. KAUPENA KALIMA: Anyone else?

CHAIR LEE: Yes, Ms., Vice-Chair Rawlins-Fernandez.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo, ohana Kalima, for your testimony. I have a question for Krystal. You're 21 now and the understanding is that the surveys were done perhaps when you were still in high school? The surveys that informed the strategy to introduce this bill or to craft this bill. Did you know of the outreach research survey by the Coalition for Hawaii Drug-Free Youth?

MS. KRYSTAL-ANDRE KALIMA: Not, I don't think so. I don't think it was, like, shared with children or, you know, youth at that time. If there was a survey, you know, I might have, I don't know, like, who the survey was, like, towards or who the audience of the survey was. I honestly didn't know that there was a making of this bill until tonight. My mom shared with me and was, you know, asking me

VICE-CHAIR RAWLINS-FERNANDEZ: Clarify.

MS. KRYSTAL-ANDRE KALIMA: Okay. Sorry.

VICE-CHAIR RAWLINS-FERNANDEZ: So, so the survey, I believe, was trying to figure out, trying to gather information on where underage drinking was occurring and how high schoolers thought they could, you know, prevent underage drinking from happening.

MS. KRYSTAL-ANDRE KALIMA: Yea, off the top of my head, I can't recall ever doing such a survey. I graduated high school in 2017, so I don't know, it was like a while ago. You know, it could have been there, and I just don't remember. But yeah, sorry, I'm not much help with that.

VICE-CHAIR RAWLINS-FERNANDEZ: No, no, it's okay. No, no, if you did, then you did. If you didn't, then you didn't.

And then, my last question is regarding, so what we're hearing tonight is, you know, underage drinking, because it's illegal, because it's unsafe, but I'm hearing a lot of testimony about what happens at house parties or at places where underage drinking's happening that, that's really more of the concern of drinking and driving, and sexual assault that happen at these places, fights. And that, when you were in high school at Maui High, did you receive education on preventing sexual assaults, sexual harassment, like that type of? I, I heard you say that you received education on not drinking or the impacts that drinking alcohol has on your body and your health, but as far as the other impacts of when you're intoxicated?

MS. KRYSTAL-ANDRE KALIMA: We, I remember just talking, going over briefly, you know, the behavioral aspects that, you know, the changes in behavior that drinking causes. But it was, I, when I was in school, like, you know, it was mostly geared toward, like how your biology inside, like how your organs react, you know, how your development is hindered from drinking. There was a very small portion on your behavior.

There wasn't so much as, you know, as for what you're questioning about, you know, sexual harassment. There wasn't anything really major about it, you know. It wasn't a big thing to cover at that time, which I think, you know, for public schools especially, you know, where majority of our youth on Maui go through public schools, you know.

I know, sorry, I know is about drinking, but, you know, I, I think that that would be a bigger, play a bigger part, a bigger role. It should have a bigger role in health education, about sexual harassment and those kinds of things. But, preventing it, we never talked about that in school, you know. Anger management, or whatever term you want to use for physical violence, that wasn't talked about really in school. So, yea, the behavioral part that drinking causes, it was very small in comparison to the biological effects of drinking.

VICE-CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Mahalo for your response. On Molokai we have Molokai Child Abuse Prevention Pathways that teaches all grades from kindergarten to 12th grade about consent, good touch, bad touch, and that rape is wrong. So, I, I, I, it sounds like that, you know, component of the education in, in high school is needed to prevent this--

MS. KRYSTAL-ANDRE KALIMA: Yes, definitely.

VICE-CHAIR RAWLINS-FERNANDEZ: --from happening.

MS. KRYSTAL-ANDRE KALIMA: I would agree with you, yea.

VICE-CHAIR RAWLINS-FERNANDEZ: Mahalo, Krystal. Mahalo, Chair.

CHAIR LEE: Anymore questions? If not, thank you. Thank you for coming.

MS. KAUPENA KALIMA: Thank you.

CHAIR LEE: Anymore testimony, Mr. Clerk?

DEPUTY COUNTY CLERK: Chair, we do not have any other testifiers noted. If an individual connected to the meeting has not testified but would like to do so, please identify yourself now. I'm going to unmute everyone in the meeting, or you could also identify yourself in the meeting chat. Unmute is on my end, so people may need to unmute on their end, if they want to identify themselves.

CHAIR LEE: Alright.

COUNCILMEMBER SINENCI: So, there was about three against it, and--

DEPUTY COUNTY CLERK: Is there, is there anyone, this is our last call, anyone out there desiring to testify, please identify yourself now. Chair, no one else has indicated that they wish to testify, and we have written testimony.



CHAIR LEE: Are there any objections to receiving the written testimony into the record, and to closing public testimony?

MEMBERS VOICED NO OBJECTION.

CHAIR LEE: No, objections. So ordered.

THERE BEING NO OBJECTION, WRITTEN TESTIMONY RECEIVED FROM THE FOLLOWING WERE MADE A PART OF THE RECORD OF THIS PUBLIC HEARING:

1. Lauren Armstrong, Maui Metropolitan Planning Organization;
2. Alberta de Jetley;
3. Deborah dela Cruz;
4. Shelly Kan-Hai;
5. Danette Kong;
6. Alexandra Love;
7. Reverend Dr. Robert W. Nelson;
8. Irene Newhouse;
9. La'a Poepoe;
10. Pat Reilly; and
11. 3 Lanai Residents.

CHAIR LEE: There being no further business before the Council, I am going to adjourn this meeting, and I'll see you on Friday.

COUNCILMEMBER KAMA: See you on Friday.

CHAIR LEE: Meeting adjourned.

## ADJOURNMENT

The public hearing of *JANUARY 13, 2021*, was adjourned by the Chair at 8:23 p.m.



---

KATHY KAOHU, COUNTY CLERK  
COUNTY OF MAUI, STATE OF HAWAII

## County Clerk

---

**From:** Lauren Armstrong <lauren@mauimpo.org>  
**Sent:** Tuesday, January 12, 2021 9:27 AM  
**To:** County Clerk  
**Subject:** Testimony in Support of Bill 142

RECEIVED  
2021 JAN 12 AM 10:07  
OFFICE OF THE  
COUNTY CLERK

My name is Lauren Armstrong, Executive Director of Maui Metropolitan Planning Organization (MPO). The MPO Policy Board has not had the opportunity to review and approve this testimony, therefore I am testifying as an individual. I support the social host ordinance as an effective way to combat underage drinking and its associated traumas, including fatal roadway crashes.

Maui MPO has been working with County, State and community leaders to create a Vision Zero Action Plan to eliminate traffic deaths on Maui. The draft plan will be available for public review in February 2021, and will be presented to the County Council in May 2021.

Spurred by the memory of 19-year old Hannah Brown and others who have tragically lost their lives on Maui's roadways, the Vision Zero effort is promoting a broad range of solutions. One of the actions presented in the draft plan is to support county legislation, including the social host ordinance.

Maui Police Department crash data shows that impairment, especially among young people, is a significant contributor to roadway fatalities. Of Maui's 86 fatal crashes between 2014 and 2018, roughly 42 percent involved someone operating a vehicle under the influence of intoxicants such as alcohol and/or drugs. On average, this is equivalent to seven fatal crashes per year that involved an impaired driver.

Road fatalities and serious injuries impact everyone, but some groups are impacted more than others. Victims between 15 and 29 years of age were overrepresented in fatal traffic collisions on Maui between 2014 and 2018, accounting for 16 percent of fatalities but only 6 percent of the population.

Reducing impaired driving continues to be a major focus of the Maui Police Department, although enforcement cannot be the only solution to this problem given the many social and economic factors that contribute to alcohol and drug abuse on Maui.

Social host ordinances have proven successful in communities across the country at reducing underage drinking. Strict liability is key to enabling law enforcement to issue citations that are swift, certain and fair. Social host ordinances are about letting the responsibility fall on the legally responsible person for the property, instead of handing out punitive punishments to youth who are enabled by adults to break underage drinking laws.

Please support the social host ordinance to reduce the number of young people whose lives are tragically cut short by people driving under the influence.

Lauren Armstrong, AICP, Executive Director  
200 South High Street, Wailuku, HI 96793  
Direct line: 808-270-8216  
[www.mauimpo.org](http://www.mauimpo.org)



Testimony for January 13 Public Hearing

Social Host Liability 9.40

RECEIVED  
2021 JAN 13 AM 9:54  
OFFICE OF THE  
COUNTY CLERK

Social drinking by teens in a private home has been going on for a long time in Maui County. I respect the rights of parents to allow their minor children to drink alcohol in the privacy of their own home. However, when it involves minors not related to them, they must be held accountable for their actions when that minor leaves their premises, especially when it involves an accident or incident occurring outside of their home.

If a law is enacted, it should be applied equally to all communities in Maui County.

Mahalo to the Coalition for a Drug Free Maui for the work they do to keep us informed of proposed legislation. Please help keep our youth safe.

Alberta de Jetley  
330 Fraser Avenue  
P. O. Box 630601, Lana'i, HI 96763

Email: [adejetley@gmail.com](mailto:adejetley@gmail.com) 808-649-0808

## County Clerk

---

**From:** Deborah dela Cruz <debdelacruz@gmail.com>  
**Sent:** Tuesday, January 12, 2021 1:11 PM  
**To:** County Clerk  
**Subject:** Bill #142

RECEIVED  
2021 JAN 12 PM 1:15  
OFFICE OF THE  
COUNTY CLERK

We have seen the illegal results of excessive drinking. Though they were committed mostly by adults, the lax attitude towards allowing underage people to consume liquor can lead to irresponsible consumption of liquor when they become adults. For this reason, I offer the following changes.

9.40.030 C4 and C5: I don't believe that these should be exemptions. The consumption of liquor by an underage person shouldn't be allowed regardless of the parent or legal guardian giving consent or being present. As far as I know, the law doesn't grant a parent or legal the authority to give such consent.

9.40.040 B6: The penalties should be assessed for violations in a 24-month period rather than a 12-month period. A 12-month penalty period would lead to repeated violations.

9.40.040 B7: The requirement to pay response costs after a "subsequent violation" means that these costs would only be assessed on a fourth violation. People should "wise up" after the first or, at the most, the second violation.

Deborah dela Cruz

398 Iliahi St

Lanai City, HI 96763

Ph (808) 559-0303

## County Clerk

---

**From:** Shel K <smkh8077@gmail.com>  
**Sent:** Wednesday, January 13, 2021 6:03 PM  
**To:** County Clerk  
**Subject:** Testimony in support of bill 142

Aloha,

My name is Shelly Kan-Hai and I am writing in support of bill 142, Social Host Liability Ordinance. I am a board member of the Kiwanis Club of the Valley Isle and I have volunteered with Big Brothers Big Sisters.

There is a large problem with underage drinking here on Maui and I am very concerned with this issue. Underage drinking leads to more bad decisions which includes drinking and driving, accidents, fighting, sexual assault and even death. I believe we must do what we can to protect our keiki.

I, too, am passionate about our YOUTH and understand that the goal is to reduce the number of house parties and to improve the health and safety of our community. Thank you for your consideration to vote in support of this ordinance.

Shelly Kan-Hai

## County Clerk

---

**From:** Danette Kong <danettekong@gmail.com>  
**Sent:** Wednesday, January 13, 2021 4:06 PM  
**To:** County Clerk  
**Subject:** Testimony in Support of Bill 142

RECEIVED  
2021 JAN 13 PM 4:27  
OFFICE OF THE  
COUNTY CLERK

Aloha kākou –

Thank you for taking the time to consider this very important piece of legislation.

You have been presented with studies and evidence about the impact of underage drinking upon our community. As a *keiki`o ka`āina* who was born and reared on O`ahu, a former high school teacher in the states of Oklahoma and Georgia, as well as on O`ahu, an ordained minister with the United Church of Christ, and as a long-time hospital chaplain on both O`ahu and Maui, please allow me to offer an additional perspective.

As a hospital chaplain, I have been at the side of parents whose children were severely injured and/or dying after vehicular accidents caused by underaged drinking. I have been with young teenagers dealing with the aftermaths of sexual assault which took place in settings where underage drinking was a factor.

But, I also have encountered young people – barely adults – who were the drivers of the vehicles involved in these accidents. Even more tragically, I have watched while a former student was charged as an adult with providing alcohol at a party which resulted in the deaths of others.

In the latter situation, I had known this student, Nathan, to be a loner at school. He sat by himself, rarely interacting with others. He was quiet, basically shy, of gentle demeanor, respectful, and kind in every way he expressed himself. He lived with his single mother, whom I knew to be working very hard to help them survive, financially. She made every effort to support her son, attended all parent-teacher conferences, and was open to all suggestions and discussion.

I can only guess how painful Nathan's existence was, and how much he longed for friends. I do not know all the circumstances which led to him holding a party in his home in the absence of his mother. Alcohol was served, and many minors attended. According to news reports, young people whom the young man did not even know also showed up at the party. But having been a teenager (many years ago!) who attended a lot of high school parties that I learned of by word-of-mouth, I am able to imagine that scenario quite easily.

Nathan was barely of legal age – if memory serves me correctly, this was his way of celebrating his own birthday. I truly doubt he even realized the illegality of his actions, or the possible consequences. But as I watched news clips of him standing in the courtroom, and his mother's anguished countenance, I realized that so many lives were ruined by his poor choices. Young people were dead, and their families devastated. Others were left to contend with life-long injuries. And here were a young man whose life was forever altered, and his already struggling mother, whose spirit was crushed.

I don't know if Bill 142 could possibly intervene in making young people, as well as adults, more aware of the consequences of serving alcohol to young people. Adolescents and teenagers are still in the process of learning and practicing safe ways to have fun, and sometimes no laws or warnings will hold weight. But I do believe that in the case of Nathan, knowing of such a law could have made a difference.

I respectfully ask that you pass Bill 142.

Most sincerely, and with aloha –

(Rev.) Danette Kong, Kula

## County Clerk

---

**From:** Alexandra Love <alexandra@apu.edu>  
**Sent:** Thursday, January 07, 2021 10:39 PM  
**To:** County Clerk  
**Subject:** Bill 142

RECEIVED  
2021 JAN -8 AM 8:10  
OFFICE OF THE  
COUNTY CLERK

Aloha,

I am emailing in regards to the bill proposed to address underage drinking by imposing fines on the homeowner.

The State does not need to enrich itself by becoming involved in this manner. While I certainly don't support underage drinking and do see the importance of addressing the issue of underage drinking, this is not the way to do it. Fines disproportionately impact lower income families. Some parents working multiple jobs are unable to constantly supervise their teens and may have more trouble ensuring that they don't drink at home. Fining them or subjecting them to community service does not solve this problem. It only punishes a parent who may already be struggling.

When a dog bites a guest of the home, a civil suit can be brought against the dog's owner to settle damages. In the same way, if an underage person consumes alcohol in another's home due to the negligence of the home owner and there are damages, a civil suit can be brought against the home owner so that the victim receives compensation. The State has no business enriching itself off of the struggle or pain of another person.

It is my request that this Bill not pass. It does not solve the problem. If the State needs to generate revenue, do so by supporting business and diversifying the economy, not by fining people.

Thank you,

Alex

Alexandra Love

RECEIVED

**From:** Bob Nelson <bobnorma@me.com>  
**Sent:** Tuesday, January 12, 2021 4:24 PM  
**To:** County Clerk  
**Subject:** Bill 142

2021 JAN 12 PM 4:26

OFFICE OF THE  
COUNTY CLERK

Aloha,

I want to express my support for Bill 142, which is before you tomorrow (1/13/21 and before the Council on Friday (1/15/21). With the incidence of teen drinking on Maui, it is time to set standards and consequences as Bill 142 does. I urge you passage of this proposed bill.

Respectfully,  
Rev. Dr. Robert W. Nelson  
808-276-8803  
93 Laukahi Street  
Kihei, HI 96753



RECEIVED

**From:** Irene Newhouse <einew@hotmail.com>  
**Sent:** Tuesday, January 5, 2021 10:16 PM  
**To:** County Clerk  
**Subject:** Social host bill

2021 JAN -6 AM 8:36

OFFICE OF THE  
COUNTY CLERK

I grew up in a state in which, stupidly, a landowner could be sued by a trespasser who, unknown to the landowner, snuck on to his/her land & did something totally stupid & illegal & hurt him/herself.

Hawaii is planning to do something similar with the social host bill. A property owner who is absent should NOT be held liable for activities on his/her property of which she/he is unaware! It's just common sense! If the host is present, by all means. But if not, no.

Irene Newhouse  
129 Walua Place  
Kihei HI 96753

## County Clerk

---

**From:** La'a Poepoe <poepoelaa@gmail.com>  
**Sent:** Wednesday, January 13, 2021 5:41 PM  
**To:** County Clerk  
**Subject:** bill 142 testimony

RECEIVED  
2021 JAN 13 PM 5:41  
OFFICE OF THE  
COUNTY CLERK

La'a Poepoe, Molokai resident, testifying on bill 142 2020

While i do respect the intent of the bill, assigning liability and imposing penalties, described in § 9.40.040(B.8), burdens an uninvolved party with a phantom responsibility that is likely out of the control of the land owner or lessee. Having to show up to court and address charges at trial is an impractical expectation for violation. this would leave enforcement with a vague rule up for personal interpretation. i do not support this bill as-written. If accepted, please consider exempting molokai from this provision.

## County Clerk

---

**From:** Carol Truman <cadtruman@msn.com>  
**Sent:** Tuesday, January 12, 2021 10:37 AM  
**To:** County Clerk  
**Subject:** BILL 142 (2020) SOCIAL HOST LIABILITY

RECEIVED  
2021 JAN 12 AM 11:32  
OFFICE OF THE  
COUNTY CLERK

OPPOSE IN TOTAL

The bill is impractical in enforcement and administration for both citizens and law enforcement.

Family Court is the appropriate forum for providing minors and families in support for complying with current law and for providing social services if necessary.

The Family Court mission is to identify the issues behind violations and to bring the family together to reduce underage consumption.

Bill 142 provides none of these functions.

Mahalo

Pat Reilly, Lana'i

## County Clerk

---

**From:** Denise Fernandez  
**Sent:** Wednesday, January 13, 2021 4:56 PM  
**To:** County Clerk  
**Cc:** Gabe Johnson  
**Subject:** Written Testimony for Public Hearing on 1/13/2021 re: Bill No. 142 (2020) relating to Social Host Liability  
**Attachments:** scan0004.pdf; scan0005.pdf; scan0002.pdf

Aloha -

Three constituents dropped off there written testimonies (see attachments) to the office - regarding Bill No. 142 (2020), entitled "A Bill for an Ordinance Establishing Chapter 9.40, Maui County Code, Relating to Social Host Liability."

Thank you,

Denise Fernandez  
Lanai District Office  
P.O. Box 630647  
Lanai City, Hawaii 96763  
808.565.7094 office  
808.565.6436 fax  
Denise.Fernandez@mauicounty.us

RECEIVED  
2021 JAN 13 PM 4:57  
OFFICE OF THE  
COUNTY CLERK

Mr. Gabe Johnson  
Council Member  
Island of Lanai  
Maui County, Hawaii

RE: Proposed Rule for Hosts & Underaged Drinking

Aloha Mr. Johnson,

We are AGAINST this new rule your constituents are proposing. Housing on Lanai is predominantly owned by Pulama. They already hire off-duty police officers to work as Security here where we live in Iwiolo Hale Apts, which we feel is already a conflict with what goes on in the complex. Iwiolo has cameras that oversee the parking lots, some even can see into our units. With this Law, they will be able to come into our units and invade the little privacy that we have. Our keiki and teenagers go from unit to unit and so when underaged drinking happens, we adults do not really know who has provided. With this law, someone like me can be penalized and fined for our neighbors' children and it would be up to me to take off of work to prove my innocence after receiving a ticket.

We are therefore AGAINST this proposed Law and feel that the Minors' parents should be held accountable for the under aged drinking and dealt with at their own home, or through other community based assistance. Lanai is a small community and believe that if neighbors and parents come together to address this issue, they could make an impact and it would be far less punitive to those that are innocent but charged as guilty due to this law.

This law would be invasive to our privacy in our own homes and should not be put through. Or atleast, as you had suggested, Lanai should be exempt from it.

Thank you so much for your consideration.

Concerned Pulama Tenant(s)

1/13/21

RECEIVED

2021 JAN 13 PM 4:57

OFFICE OF THE  
COUNTY CLERK

January 11, 2021

Mr. Gabe Johnson  
Council Member  
Island of Lanai  
Maui County, Hawaii

RE: Proposed Law for Underaged Drinking

Aloha Gabe,

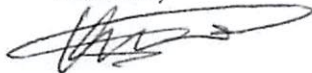
Thank you for posting the notice to advise what is going on here on Lanai. Although underaged drinking has been one of the issues of this community, we do not feel we should be responsible for minors that are drinking and we are unaware of their activities. Most of Lanai has carports or garages where we hold family gatherings. With this Law, it would be very invasive upon us Homeowners as MPD can just "stop by and question, under this law" who's there and who is or is not drinking.

We are therefore AGAINST this proposed Law and feel that the Minors' parents should be held accountable for the underaged drinking and dealt with at their own home. Lanai is a small community and believe that if neighbors and parents come together to address this issue, they could make an impact and it would be far less punitive to those that are innocent but charged as guilty due to this law.

This law would be invasive to our privacy in our own homes and should not be put through. Or atleast, as you had suggested, Lanai should be exempt from it.

We appreciate your time, and congratulations, by the way.

Mahalo,

A handwritten signature in black ink, appearing to be a stylized name, possibly "Lana'i Homeowners".

Lana'i Homeowners

RECEIVED

2021 JAN 13 PM 4: 57

OFFICE OF THE  
COUNTY CLERK

January 12, 2021

Mr. Gabe Johnson  
Council Member  
Island of Lanai  
Maui County, Hawaii

RE: Proposed Bill on Underaged Drinking

Dear Mr. Gabe Johnson:

WE are AGAINST this proposed Bill having parents/hosts be accountable for underaged drinking. We feel Lanai is a small community and believe that there are other ways to deal with "other people's children" that could get US into trouble/fined just by potentially them showing up to our house already drunk.

This Bill is over encompassing, not only for we on Lanai but the rest of Maui County, like on Molokai and other small communities. In speaking for parents and uncles and aunties, here, this Bill should not be passed, or atleast what you have suggested is that Lanai should be exempt from this law as it will unfairly target those that love and care for our keiki.

Congratulations on your winning this time around! Thank you for your service.

Sincerely,

  
Some Lanai Parents