

WASSP Committee

From: Carrie Ann Shirota <CShirota@acluhawaii.org>
Sent: Sunday, December 1, 2024 1:00 PM
To: WASSP Committee; Shane M. Sinenci
Cc: Emily Sarasa
Subject: ACLU of Hawai'i Testimony re: Bill 111 (Hearing Monday, 12/2 at 9:00am
Attachments: Maui County Bill 111 (2024) Sweeps Procedure and Right to Shelter ACLU HI Testimony 12-02-24 .docx

Some people who received this message don't often get email from cshirota@acluhawaii.org. [Learn why this is important](#)

Aloha Chair Sinenci and County Council Clerk:

Please find attached written comments relating to Bill 111, scheduled for hearing on **Monday, December 2, 2024 at 9:00am**. We sincerely hope that our request to defer decision-making to allow for more substantive discussion on this measure will be considered.

Mahalo,
Carrie Ann

Carrie Ann Shirota
Pronouns: she/her/hers

Policy Director
ACLU of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
■ o (808) 380-7052
■ c (808) 269-3858
■ cshirota@acluhawaii.org
■ www.acluhawaii.org
■ Twitter: [@acluhawaii](https://twitter.com/acluhawaii)
■ Instagram: [@acluhawaii](https://www.instagram.com/acluhawaii)
■ Facebook: facebook.com/acluhawaii





Committee: Regular Meeting of the County of Maui Water Authority, Social Services, and Parks Committee
Hearing Date: Monday, December 2, 2024, at 9:00 a.m.
Location: Council Chamber
Re: *COMMENTS on Bill 111: Establish Procedures for the Removal and Storage of Personal Property in Public Places & a Right to Shelter*

Aloha Chair Sinenci, Vice Chair Johnson, and Council Members:

The ACLU of Hawai'i is a non-profit, non-partisan organization dedicated to safeguarding and advancing civil rights and liberties enshrined in our federal and Hawai'i Constitutions. We offer preliminary comments on Bill 111 which establishes procedures for the removal and storage of personal property in public places and right to shelter. In effect, this bill attempts to create a formal legal procedure for the practice of sweeping unsheltered residents from public sidewalks and spaces.

Given that this proposed measure implicates Constitutional due process rights and the hearing notice was released over a holiday week, we respectfully request that the Committee defer decision-making to allow for more substantive review and discussion and increased civic participation.

Request to Defer Bill 111 to Allow for More Substantive Discussion

Although the Council has met the plain language statutory requirements for “no less than six calendar days” of public notice under HRS § 92-7, Bill 111’s notice does not comport with the spirit of our Hawai'i Sunshine or open public meetings law.

The automated public hearing notice on this measure was issued on Tuesday, November 26th, at 4:31pm, during the week leading up to Lā Kū'oko'a and Thanksgiving. The mandatory six-day notice period therefore occurred over a major holiday week, during which many individuals take off time from work to spend time with loved ones, travel and commemorate these holidays.

Relatedly, coordinating with the people most directly affected by the bill, our houseless neighbors, is critically important. The timing of Bill 111’s notice has made meaningful public participation and engagement with a bill of major community significance nearly impossible.

We request that Bill 111 be deferred to allow more time for a thorough and substantive review to ensure compliance with constitutional guarantees, and feedback from community members most directly impacted by this proposed measure.

Mahalo for the opportunity to comment on Bill 111.

Sincerely,

Carrie Ann Shiota

Carrie Ann Shiota, Esq.
Policy Director ACLU Hawai'i
cshiota@acluhawaii.org
(808) 380-7052

c: Emily Sarasa, Policy Fellow