

WASSP Committee

From: Susan Pcola-Davis <susanp60@yahoo.com>
Sent: Thursday, September 4, 2025 12:27 PM
To: WASSP Committee
Subject: TESTIMONY BILL 111

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Susan Pcola-Davis
808-387-3061

SUPPORT with Concern

Access to a computer and internet may be an issue for those without. Other issues. In this section may be apparent if you think of yourself as houseless.

Regarding this part of the bill:

9.37.110 Online reporting of notices and property logs.

A. Within one business day of the posting of a notice or property log under this chapter, the County or its designee must upload a copy of the notice or property lot to a County website. The County website must include a function that allows encampment occupants to identify advocates as outreach providers under section 9.37.030 and for all interested parties and members of the public to be notified when a new upload is made.

B. The County must maintain and display on the website, contact information including an email address or telephone number, to retrieve stored personal property. The telephone number must have a voicemail and call-back system if staff are unable to answer calls.

C. Instructions and forms for appeal processes required by this chapter must be available on this website.

WASSP Committee

From: County Clerk
Sent: Thursday, September 4, 2025 10:04 AM
To: WASSP Committee
Subject: FW: Support of Bill 111

-----Original Message-----

From: Cailin Goodier <cgoodier@icloud.com>
Sent: Thursday, September 4, 2025 10:02 AM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Support of Bill 111

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Aloha,

Please allow this to document my full support of Bill 111, as a county of Maui resident.

The committee, county and state have continually met, discussed and deliberated upon services to support our unsheltered community. Yet, the actions speak louder than the words. Mahalo to Council Member Sinenci and Johnson for their input on this bill, acknowledging that every resident of Maui is protected from trauma.

More and more individuals and families are facing homelessness, have you folks looked around? Drive Hansen Road at night, there's folks living out of their cars nightly. Try call a craigslist or Facebook ad for a one bedroom and mention you have Keiki or a dog, guarantee you will NEVER hear back!!! The housing market is insane, literally insane right now.

There are wait lists at our one and only shelter, agencies like FLC that take weeks to hear back from, never mind you have to abide by their religious decisions to receive their services. We do all realize we lost an entire homeless shelter in 2023 fires, alongside so many folks losing their housing, correct? So now if you're houseless, can't stay outside, get kicked out of each place you go to, lose your items in each sweep, and supposed to stay well and healthy? This is just so wrong. You are literally criminalizing their existence, knowing there is no where for them to go. So why is forced relocation of our community members, knowingly traumatizing them, wasting thousands of dollars ok?

The county does not have enough resources available to treat the looming issues Maui is facing related to the long lasting effects of colonialization, not limited to mental health, substance abuse and a sky rocketing housing market.

Please consider the bill and know that it's impacts will trickle down to all residents.

Mahalo

Cailin Goodier

WASSP Committee

From: County Clerk
Sent: Thursday, September 4, 2025 8:46 AM
To: WASSP Committee
Subject: FW: WASSP Bill 111 Testimony

From: Maui Rapid Response <admin@mauirapidresponse.org>
Sent: Thursday, September 4, 2025 8:42 AM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: WASSP Bill 111 Testimony

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Aloha Chair and Councilmembers,

My name is Nicole Huguenin, and I serve as the Executive Director of Maui Rapid Response.

For two years, community partners like us, service providers, and County staff, including the Mayor's Office, worked together to shape amendments to Bill 111. These amendments are not optional extras — they are the linchpins that keep this bill from becoming just another sweep policy.

- Shelter precondition: no one is removed unless there is safe, appropriate shelter or an alternative available.
- Cultural safeguards: Native Hawaiian consultation and multilingual notices, because Hawaiians are disproportionately impacted.
- Transparency: public reporting so those impacted and their community know who is displaced, what's offered, and what's destroyed.

Last night, the Mayor's office walked away from these efforts, saying they need "flexibility." But let's be clear:

- "Flexibility" means sweeping people with nowhere to go.
- "Flexibility" means ignoring Hawaiian voices on Hawaiian 'āina.
- "Flexibility" means repeating the same failed cycle we've already seen and resulted in a lawsuit.

That is not flexibility. That is harm.

Confusing and contradictory

The Mayor's statement says sweeps will be balanced by outreach. But in October 2024, Family Life Center testified they do not provide outreach before or after sweeps and will not be connected to enforcement. Despite that, the County continues to list FLC as the main outreach provider and has not updated their long-term contract.

So who is really doing the outreach? Where is the accountability? This contradiction makes the Mayor's proposal confusing at best, misleading at worst.

Proof from recent sweeps

- Amala Place (2025): People who asked for shelter were given options that didn't fit. A kūpuna with a dog was offered only a top bunk in a crowded shelter — an impossible choice. They and others were pushed deeper into the bush. Now the County blames them for fire danger, when in fact the sweep itself created that danger by not having adequate shelter options or working collaboratively with others like the state where rooms were available at the former Haggai Institute.
- Ukumehame (2024): Long time residents were displaced without alternatives, on 'āina with deep cultural meaning. The sweep ignored kuleana and aloha 'āina, replacing them with police and bulldozers. In fact, the first announcement to residents for this relocation included the burnt down Lahaina shelter and phone number. If they can't update fliers how can they be trusted with harm-reduction and dignity?

These sweeps destabilized lives, wasted resources, and harmed Hawaiian — exactly what we warned would happen without clear safeguards.

The evidence is already in hand

The EcoNorthwest study (2024) and recent trainers that DHC brought in, like Iain De Jong, both of which this County paid for, could not be clearer:

- Enforcement-first approaches cost more and solve nothing.
- Real progress comes from shelter, coordination, and cultural grounding.

Amala Place and Ukumehame prove the study right. Sweeps push people further into hiding, increase risks like fire, and drain money that could fund shelter or housing.

Our request

Bill 111 can only work with the linchpin amendments intact. Without them, it's just a new name for old sweeps.

We urge you to:

- Reject the Mayor’s call for “flexibility.”
- Pass Bill 111 only with the shelter precondition, cultural safeguards, and transparency amendments we worked two years together to craft.

Maui already has the evidence, the recommendations, and the community-built solutions. The choice before you is simple:

- More sweeps that waste money and cause harm, or
- Real solutions rooted in aloha, kuleana, and justice.

Please choose solutions.

Mahalo nui loa,

Nicole Huguenin

Executive Director, Maui Rapid Response

WASSP Committee

From: County Clerk
Sent: Thursday, September 4, 2025 8:18 AM
To: WASSP Committee
Subject: FW: Testimony in Support of Bill 111

From: LMartinez87@gmail.com <lmartinez87@gmail.com>
Sent: Thursday, September 4, 2025 8:13 AM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Testimony in Support of Bill 111

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Aloha Councilmembers,

I support the amended versions of this bill from Committee Chair Sinenci & Councilmember Johnson. Without these amendments, the bill would be punitive and only contribute to the problem instead of the solution. Specifically it's important to include the amended versions' definition of an encampment and inclusion of Kānaka 'Ōiwi constitutional rights explicitly in writing. We must also require that adequate shelter for people's unique needs are met and stay in the bill.

Studies commissioned by the County agree that sweeps contribute to the problem, not the solution by retraumatizing and destabilizing people who need our help and support. We should invest all the resources spent on this inhumane and outdated practice of sweeps to create more shelters, safe parking, and self-managed pu'uhonua instead. =

Before any forced relocation, the County needs to ask: Are there pet-friendly, partner/family, ADA, and vehicle accommodations? Are beds proximate to jobs, schools, and medical care? Are they stable for more than a night or two? Has a Ka Pa'akai analysis been completed?

Unless the county can say yes to all of these questions, you need to hold off on doing anything until they can provide these BASIC things.

Mahalo nui for bringing this issue onto the agenda and prioritizing the needs of our most vulnerable residents. Please amend this bill with compassion at the forefront of your mind.

Lorena Martinez
Resident of West Maui

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"The more I wonder, the more I love." - Alice Walker

WASSP Committee

From: Josh Frost <jfrost@acluhawaii.org>
Sent: Thursday, September 4, 2025 8:12 AM
To: Shane M. Sinenci; Gabe Johnson; Thomas M. Cook; Tasha A. Kama; Alice L. Lee; Tamara A. Paltin; Keani N. Rawlins; Yukilei Sugimura; Nohe M. Uu-Hodgins
Cc: Axel I. Beers; WASSP Committee
Subject: ACLU of Hawaii Testimony for Bill 111 CD1
Attachments: Bill 111 CD1 WASSP - COMMENTS Right to Shelter 090425.pdf

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

Aloha Council Members,

My apologies for transmitting our testimony in this fashion, but I am having technical difficulties submitting testimony via the eComment system on the Maui County website. I hope this will suffice.

Please find attached our testimony providing comments on and offering amendments to the bill.

Mahalo,
Josh Frost
Pronouns: he/him/his

Policy Advocate
ACLU of Hawai'i
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Honolulu, HI 96801
<mailto:jfrost@acluhawaii.org>
<https://www.acluhi.org>
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Facebook: [facebook.com/acluhawaii](https://www.facebook.com/acluhawaii)



“If one really wishes to know how justice is administered in a country, one does not question the policemen, the lawyers, the judges, or the protected members of the middle class. One goes to the unprotected – those, precisely, who need the law’s protection the most – and listens to their testimony.” ~ James A. Baldwin



Committee: Water Authority, Social Services, and Parks
Hearing Date/Time: Thursday, September 4, 2025, at 9:00am
Place: Council Chamber & Via Videoconference
Re: Testimony of the ACLU of Hawai'i OFFERING COMMENTS on Bill 111, CD1

Dear Chair Sinenci, Vice Chair Johnson, and Committee Members:

The ACLU of Hawai'i **offers comments on and two amendments to** Bill 111 CD1, regarding the Removal and Storage of Personal Property in Public Spaces and the Right to Shelter. In its current form, the bill increases procedural safeguards that recognize the dignity of all people and ensure uniformity in the administration of property removal across Maui County.

Language added in the CD1 constitutes a substantial step forward from its earlier iteration. In particular, language added in section 9.37.020 acknowledging root causes of houselessness as well as the reference to the *Recommendations to Address Homelessness in Maui County* create the right frame for the legislation. In particular, the insertion of additional local agencies and community partners as "Interested Parties" reflects how addressing the needs of Maui's houseless population is truly a collective effort.

The CD1 also includes clear processes and procedures the County must follow when it is determined an encampment will be cleared.

Specifically, Section 9.37.50 requires the County to "identify alternative shelter locations for encampment occupants" and that those shelter alternatives must be "accessible, available to, and have sufficient capacity and services to accommodate each encampment occupant" at the time a removal notice is posted. This acknowledges the need for sufficient services before any removal can proceed. There is no value to clearing encampments if there is no place for those individuals to go. To do so is a waste of public resources and places undo and unnecessary stress and hardship on those houseless individuals.

Further, the CD1 adds specific requirements for ample notice of an impending encampment removal, includes considerations for unforeseeable extreme weather or

public health emergencies. This is strong language that prioritizes the health and safety of those houseless community members and requires a restarting of the 45-day notice clock. Additional considerations in the CD1 include the requirement for a community meeting at the site of the impending cleanup and that language interpreters must be provided as necessary.

Finally, the bill includes language for First Amendment protections, as well as strong considerations for the hardship imposed on those houseless individuals who may need to retrieve their personal property from the County. Those considerations include the requirement that said storage facility must be easily accessible by public transportation and that no identification is required for an individual to retrieve their property.

We offer two suggested amendments to the bill, which we believe provide clarity and consistency with the County’s legal obligations.

First, we believe it is important that any and all notices publicly posted should include specific information about how to challenge a proposed or impending removal. In its ruling in *Davis v. Bissen*, the court stated that the plaintiffs’ “right to procedural due process was violated,” and reiterated the longstanding principle that “[a]dequate notice under the Due Process Clause has two components. It must inform affected parties of the action about to be taken against them as well as of procedures available for challenging that action.” *Davis v. Bissen*, 154 Haw. 68, 82, 545 P.3d 557, 571 (2024) (emphasis added). The Court also observed that Maui County’s “notice to vacate contained no information on who to contact to challenge the sweep.” *Id.*, 154 Haw. at 72, 545 P.3d at 561. Bill 111, CD1, already requires that the County establish an appeals process; we only ask that this information be included in the notices.

Second, we ask that the Committee clarify that “hazardous items” are items that pose a threat to the health and safety of occupants or the public. This ensures consistent guidance regarding which conditions constitute a threat versus situations where an item listed under the definition of “hazardous items” is present—such as a single used tissue paper—but where there is no clear threat to health or safety.

The ACLU of Hawaii applauds the bill’s introducer and everyone involved in drafting this much improved CD1, which provides clear and concise requirements and procedures by which the County must abide should an encampment removal be deemed necessary.

Despite these considerations, we continue to stand opposed any and all sweeps made by government upon our houseless neighbors and urge the Council and the

Administration to instead prioritize addressing the root causes of houselessness in Maui County.

Mahalo for the opportunity to testify.

Sincerely,

Josh Frost

Josh Frost

Policy Advocate

ACLU of Hawai'i

jfrost@acluhawaii.org

The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawai'i has been serving Hawai'i for over 50 years.

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WASSP Committee

From: County Clerk
Sent: Thursday, September 4, 2025 8:06 AM
To: WASSP Committee
Subject: FW: Bill 111

-----Original Message-----

From: charlotte sandoz <charlotte.mandala@gmail.com>
Sent: Wednesday, September 3, 2025 5:07 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Bill 111

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This is my testimony in support of bill 111 .

It is high time to come with solutions . How about designing pavilion-like shelters with running water and community sinks, showers and bathrooms around which people could have secure pods and privacy..

It has been shown that when the trauma of insecurity is addressed, mental health issues and drug problems melt away.

It becomes a win-win situation where every one is safer .

Charlotte Sandoz

Haliimaile

WASSP Committee

From: County Clerk
Sent: Thursday, September 4, 2025 8:01 AM
To: WASSP Committee
Subject: FW: Support Bill 111

From: Jen Cox <mjencox@gmail.com>
Sent: Wednesday, September 3, 2025 10:27 PM
To: County Clerk <County.Clerk@mauicounty.us>
Subject: Support Bill 111

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Aloha,

I am writing to testify in Support of Bill 111 that aims to improve conditions for our unsheltered community members.

I strongly support amendments to:

- Require encampment actions to respect Hawaiian protocols and uphold constitutional protections
- require 45 days' notice of forced relocations
- Ensure that before any sweeps or forced relocations occur, there must be sufficient shelter options that are pet-friendly, family-inclusive, ADA compliant, and that can accommodate vehicles AND are located in reasonable distance to schools, jobs, and medical care AND that provide stability for more than 1-2 nights.

Thank you for the opportunity to testify,

Jen Cox
Haiku HI 96708