

9.37.020 Intent. The County confirms the equal worth and dignity of every individual and recognizes a human right to shelter...In doing so, the County is mindful of the following goals to be achieved through progressively implemented measures, consistent with available resources:

1. A safe place to sleep and keep one's belongings.
2. An ability to remain with one's spouse or domestic partner.
3. An ability to remain with one's companion animals in an environment that is habitable for all.
4. Access to services necessary to stabilize one's life and transition into supportive housing or permanent housing,

This section seems to come from an approach to address barriers which are referred to as “the three P’s” and include:

- *Possessions –stores an unlimited amount of large and small items so individuals are able to engage in the program knowing that their belongings are safe and accounted for.*
- *Pets – accommodates pets and assists clients in the process to apply for companion animal designation when needed*
- *Partners and Groups – Mixed gender dorms that allow clients to be sheltered with any grouping of individuals they consider as “their family group”*

This concept was popularized around 2015 by a Navigation Center pilot program developed by San Francisco. We researched today (10/7/24) on the outcomes of the Navigation Centers - It was difficult to find information that would give us a current status of the success of this approach. If you compare PIT counts for 2013 and 2024, the count has gone up.

9.37.040 Removing impediments and immediate hazard encampments. A. The County may remove impediments and immediate hazard encampments immediately, if the police chief or fire chief determines a need to do so and informs the mayor, managing director, or director of human concerns. Sections 9.37.050, 9.37.060, and 9.37.070 do not apply to removing impediments and immediate hazard encampments.

B. If removal is not started within two hours the discovery of an impediment or immediate hazard encampment, a notice must be affixed as soon as reasonably possible. The notice must state:

1. The date the notice was posted.
2. That the impediment or immediate hazard encampment must be immediately removed and is subject to removal without further notice.
3. Where any removed personal property will be stored, how it may be claimed, and the duration of storage before final disposition.

C. If the impediment or immediate hazard encampment is determined to be under the control of an individual who is present,

verbal notice to immediately remove their personal property must be given to the individual, if possible.

D. Personal property must be removed and stored as provided in section 9.37.100 and may be recovered as provided in section 9.37.110.

E. The County may immediately remove and dispose of garbage, debris, and hazardous items.

F. Upon removing an impediment or immediate hazard encampment, the County must post a notice as provided in section 9.37.090.

G. Any agency or contractor storing personal property must notify the department of human concerns of the storage on the same day the personal property is stored. The department of human concerns must post notice of the stored personal property on a designated County website where notices are maintained and available for public inspection.

H. The County must video record and photograph the removal of impediments and immediate hazard encampments

During the Kanaha/Amala Place encampment cleanup, FLC was onsite prior to the action, offering storage services to individuals. Only 5 individuals accepted. FLC staff assisted these households with securing a storage unit, packing their belongings, transporting in FLC vehicles, paying the deposits and three to six months of storage rental fees.

9.37.060 Identifying or providing alternative shelter before removing encampments. A. Prior to removing an encampment, the County must identify alternative locations for encampment occupants, such as available housing, shelter accommodations with or without day programs, authorized managed encampments or "no-barrier" shelters and pu'uhonua. The county must also provide information regarding access to substance-abuse treatment, and behavioral-health support. The alternatives must be available *(it would be difficult to expect that service providers should hold spaces open for the 45-60 day period prior to the action and during the action. For example Aloha House cannot be expected to hold a space available for someone who may or may not choose to access their services. In the same way an Emergency Shelter is not allowed to keep beds unfilled for this long a period of time as then you would be denying the bed to someone who wants access.)* to the encampment occupants starting on the date an encampment removal notice is posted and must continue to be available until the encampment removal is completed. The County, or its designee, must maintain an updated list of alternative shelter locations on the department of human concerns' website.

*To wait until an encampment removal notice is posted is absurd. Services need to be offered on a regular and consistent basis. FLC conducts daily outreach in the community offering to connect every person to housing and services to help them overcome and avoid future experiences of homelessness. In every encounter individuals are asked “do you want our assistance to end your homelessness.” Pathways to ending homelessness are offered and individuals have the **option** to accept or decline.*

*FLC does not wait for encampment removal action to begin working with individuals. The work is consistent and ongoing. We have a system for collecting real-time data to streamline access to shelter and housing options. **It is our experience that individuals often decline services until a “encampment removal” action is declared and at that point the systems of care are stretched.***

9.37.070 Outreach for encampment removal. A. Outreach providers must be notified of and be present at every scheduled encampment removal when available, between the time that notice of removal is posted and the completed removal date, or until their services are no longer required.

*The policy of FLC is not to be present during any enforcement action. FLC is a service provider – to be present during encampment removal would be antithetical to our stated purpose and are detrimental to the relationships we have established during the course of providing regular services. FLC conducts active and robust outreach prior to any encampment removal but **ARE NOT** present on the days of enforcement.*

Capacity – FLC does not have the staff capacity to provide the kind of coverage as described in this section.

WASSP Committee

From: Maude Cumming <Maude@flcmaui.org>
Sent: Monday, October 7, 2024 2:38 PM
To: WASSP Committee
Cc: Lisa Kahaleauki
Subject: RE: BILL 111 (2024), To Establish Procedures for the Removal and Storage of Personal Property in Public Places and a Right to Shelter (WASSP-13)
Attachments: Recommendation FLC.docx

Hi All

We took a look at this bill and overall are not in agreement. Attached are some of our comments. We will continue to look it over to see if there are any additional comments
Aloha, Maude

From: WASSP Committee <WASSP.Committee@mauicounty.us>
Sent: Friday, September 27, 2024 3:13 PM
To: Maude Cumming <Maude@flcmaui.org>
Cc: Lisa Kahaleauki <Lisa@flcmaui.org>; WASSP Committee <WASSP.Committee@mauicounty.us>
Subject: BILL 111 (2024), To Establish Procedures for the Removal and Storage of Personal Property in Public Places and a Right to Shelter (WASSP-13)

Some people who received this message don't often get email from wassp.committee@mauicounty.us. [Learn why this is important](#)

Ms. Cumming: Please refer to the attached letter from the Maui County Council's Water Authority, Social Services, and Parks Committee Chair Shane Sinenci, dated September 27, 2024. **Please respond by October 14, 2024.**

Ms. Kahaleouki: Please see attached.

Mahalo,
WASSP Committee Staff