

## PIA Committee

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**From:** dimsumnyc@aol.com  
**Sent:** Sunday, November 20, 2016 6:22 PM  
**To:** Mayors.Office@co.maui.hi.us  
**Cc:** PIA Committee; dimsumnyc@aol.com  
**Subject:** PIA Committee meeting Tuesday Nov 22  
**Attachments:** Aloha PIA Committee1.pdf

Aloha Mayor Arakawa,

Having been off-island when I first learned about your proposal 15-296 in the PIA committee meeting on October 31, 2016, I have tried several times to review the video (and contacted Akaku) and still cannot find it archived so bear in mind my response is based upon my research and not the testimony from that meeting.

I understand the frustrations the community has with individuals who are acting in manners that are not aligned with how we want grown individuals to conduct themselves in public. However, it needs to be understood that by the time an individual is acting in such a manner indicates how deeply broken they are in their life. Criminalizing appeases the community members who want to "teach them a lesson", however, from the research I can find it does not serve as a deterrent to the desired behavior long term and adds a significant cost/burden to the community by creating individuals who will forever remain in poverty and ultimately homeless. If you want to guarantee a class of homeless individuals, this is a sure way to produce that.

Attached please find a letter I wrote urging the proposals not be passed. As I have not had an opportunity to discuss why such laws are being put forth, I am available to discuss alternative solutions that address individuals with dignity.

With appreciation,  
Lisa Darcy

Aloha PIA Committee,

November 20, 2016

Having been off-island while these proposals came forward last month, my apologies for a late correspondence regarding the agenda for Tuesday's meeting addressing County Communication 15-296 and not having the time to meet with you personally:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, BY ADDING A PROHIBITION MAKING IT UNLAWFUL TO DEFECATE OR URINATE IN OR ON PUBLIC PLACES"
2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 8.21, MAUI COUNTY CODE, RELATING TO LIQUOR IN COUNTY PARKING LOTS AND OTHER PUBLIC AREAS"
3. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, BY ADDING PROHIBITION RELATING TO LYING DOWN ON PUBLIC SIDEWALKS"
4. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, BY ADDING PROHIBITIONS RELATING TO THE TAKING OR ABANDONMENT OF SHOPPING CARTS"
5. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING TITLE 8, MAUI COUNTY CODE, BY ADDING A PROHIBITION THAT MAKES IT UNLAWFUL TO SOLICIT IN AN AGGRESSIVE MANNER IN PUBLIC PLACES"

Please do not pass the above proposals.

I have researched the above proposals and have found no information indicating passing these bills helps communities in the bigger picture. In fact, there is research indicating the opposite and I urge the committee to recognize the National Center on Homelessness & Poverty indicates passing so called Nuisance Laws are harmful to communities by creating even larger barriers to individuals to reenter communities. In case you did not hear the news on Hawaii Public Radio last week, they rank Hawaii in their top 5 Hall of Shame. I also read on the Hawaii AppleSeed Center for Law and Economic Justice website that HUD looks unfavorably on any community applying for monies who support these bans/laws. This can unfavorably impact monies many agencies are dependent upon.

Being poor or suffering from addiction and mental health conditions cannot become a crime. I could accept this discussion if I knew one of you had lived through the traumas of being houseless and living out of your car. I don't believe any of you have been in a position (except for Council member Carrol) where finding a bathroom presented a real and immediate challenge.

We need to put the monies into proactive services, as for years I have come to you over and over and asked for more outreach positions through agencies like Mental Health Kokua and Aloha House who have highly trained individuals interfacing with individuals struggling with mental illness and addiction and flat out poverty.

Individuals lie in public areas because they feel safer and are almost always suffering from traumatic incidents where they have been harassed, mugged or beaten up when out of sight and alone. Do not criminalize them and make them a financial burden (please remind me the cost of holding someone in jail per day) to the community to rehabilitate them even greater.

As I respect the desire to “sweep our streets clean”, I would suggest all the monies that would go towards fining/ticketing and arresting individuals go towards community programs to engage individuals and assist them to rebuild their lives. If you look on the Department of Housing and Urban Development website, Hawaii is on the home page indicating the numbers are increasing. As someone who has worked side-by-side to assist individuals to gain employment with those struggling to get out of the poverty bucket, I can tell you fining/arresting individuals will pretty much guarantee they will NEVER leave that socio-economic level.

**I urge you to reject these proposals. Please research the impacts of these proposals for yourself to see that no real progress results from them and the potential detrimental impacts will be for life for many.**

**STATUS:**

The Committee may consider whether to recommend passage of some or all of the proposed bills on first reading, with or without revisions. The Committee may also consider recommending County Communication 15-296 be referred to the Council Chair for the term beginning January 2, 2017, pursuant to Rule 23 of the Rules of the Council, filing of County Communication 15-296, and other related action.

Mahalo for you attention and consideration,

Lisa Darcy  
Haiku, HI