

**REPORT TO THE TWENTY-SEVENTH HAWAII STATE
LEGISLATURE 2013**

**IN ACCORDANCE WITH THE PROVISIONS OF ACT 105, SESSION
LAWS OF HAWAII 2012**

**DEPARTMENT OF HUMAN SERVICES
HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS
JANUARY 2013**

REPORT ON ACT 105, SECTION 2, SESSION LAWS OF HAWAII (SLH) 2012, RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS (HICH).

I. HICH Plan to End Homelessness.

Act 105 of the Session Laws of Hawaii (SLH 2012) created the Hawaii Interagency Council on Homelessness (HICH) to provide solutions to end homelessness, to highlight the importance of ending homelessness across the State, and to strengthen the continuity of efforts to end homelessness across future State of Hawaii administrations. (Section 1, Act 105.)

Act 105, Section 2, sub-part 9, SLH 2012, requires the HICH. . . “to report annually to the governor, the legislature, and the mayor of each county on the progress of its activities, including formulation and progress of the ten year plan no later than twenty days prior to the convening of each regular session.”

The HICH is chaired by Colin Kippen, who has been appointed by the Governor to serve as the Governor’s Coordinator on Homelessness. The HICH is administratively housed within the Department of Human Services. The HICH held its first official meeting on September 10, 2012 and again on December 13, 2012. A quorum was established for each meeting and the work of the HICH was begun.

The HICH adopted a plan to end homelessness consisting of four goals, eleven objectives, and 39 strategies. That plan is consistent with the approach taken by the United States Interagency Council on Homelessness (USICH) created by President Obama in 2010 to end homelessness in the United States. Hawaii was the first state in the Union to create a state interagency council patterned after the USICH. The work of the HICH has been informed by its members, by knowledgeable volunteers, service providers, and community members, and by best practices to address homelessness in Hawaii and across the United States.

The goals, objectives, and strategies adopted by the HICH are attached to this report as Appendix 1. The HICH plan is consistent with the plan established by the USICH and the federal government to end homelessness. The action steps to be accomplished over the next two years, including the timelines and measures necessary to gauge performance of this effort in ending homelessness, are now in the process of being formulated. It is expected that this planning work will take approximately 3 to 4 months to complete. The HICH chair is being temporarily assisted by a facilitator-consultant who is being funded under a grant received from the Hawaii Community Foundation.

II. HICH Report and Recommendation on Evening-Only Homeless Encampments on Public Property.

The HICH and the Department of Human Services were mandated to undertake a study on the advisability of creating evening-only encampments on public property and to report these findings to the legislature no later than 20 days prior to the start of the 2013 legislative session. (Act 105, Section 4, Session Laws of Hawaii, 2012).

On December 13, 2012, the HICH, which included the participation of the Director of Human Resources, unanimously found that . . .”creating camping areas for homeless individuals in our parks and in our public buildings during evenings only, as specified under the terms of Act 105, Section 4 is unworkable, is not advisable, and should not be pursued.”

The report of the HICH as regards evening-only homeless encampments is attached as Appendix 2 of this report.

III. Conclusion.

The HICH was created to ensure that a broad interagency, interdisciplinary and community-based approach is brought to bear to reduce and end homelessness in Hawaii. The HICH has formally met, has adopted a plan, and has set an ambitious schedule to organize its work over the next two years. The HICH believes that ending homelessness in Hawaii will require concerted and collaborative action by federal, state, and local governments, the private sector, the general public, informed and knowledgeable service providers, and faith-based organizations.

Plan of the Hawaii Interagency Council on Homelessness

- I. Goal 1: Retool the Homeless Crisis Response System
 - a. Objective 1: Refocus homeless services into a crisis response system that prevents homelessness and rapidly returns people experiencing homelessness to stable housing
 - i. Strategy 1: Promote best practices for crisis response programs (e.g., transition in place, prevention of homelessness, and rapid re-housing)
 - ii. Strategy 2: Use mainstream resources to provide housing stabilization assistance
 - iii. Strategy 3: Develop implementation strategies for the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act that sustain best practices
 - iv. Strategy 4: Increase number and diversity of community stakeholders
 - v. Strategy 5: Review and develop strategies which assist homeless non-residents in accessing the most appropriate resources
 - vi. Strategy 6: Continue to support the State-wide outreach network which engages and identifies unsheltered homeless persons (see Hawai'i's Homeless Assistance Act)
 - vii. Strategy 7: Develop and implement a comprehensive plan of education and communications for the general public and organizations such as, Neighborhood Boards, to facilitate community understanding and engagement on homelessness
 - b. Objective 2: Ensure that all critical services are prioritized for funding
 - i. Strategy 1: Conduct fiscal mapping study for all services which address homelessness
 - ii. Strategy 2: Based on the fiscal mapping study, develop a comprehensive revenue plan which includes federal, state, counties, service providers, business community, philanthropic organizations, and the faith community
 - c. Objective 3: Ensure that all information systems are appropriately integrated to improve effectiveness and efficiency of service provision to those who are homeless and to better support providers who serve the homeless
 - i. Strategy 1: Identify ways to track those who are homeless through various service systems to establish baseline cost utilization, e.g., improve linkages between HMIS and various data systems

- ii. Strategy 2: Track service effectiveness and cost savings resulting from coordination of outcome oriented interventions
- II. Goal 2: Increase Access to Stable and Affordable Housing
 - a. Objective 4: Create and preserve affordable housing for people at 50% and below of area median income
 - i. Strategy 1: Support additional rental housing subsidies through federal, state, local, and private resources
 - ii. Strategy 2: Expand the supply of affordable rental housing where they are most needed through federal, state, local and private efforts, and partnerships
 - b. Objective 5: Create and preserve permanent supportive housing options for people who are homeless and have special needs, e.g., mentally ill, medically frail, physically disabled, elderly, released offenders and substance affected
 - i. Strategy 1: Improve access to and use of supportive housing by encouraging prioritization and matching people with appropriate levels of support to prevent or escape homelessness
 - ii. Strategy 2: Expand the supply of permanent supportive housing through federal, state, local, and private resources
 - c. Objective 6: Improve access to government-funded affordable housing by eliminating barriers
 - i. Strategy 1: Review government policies and practices in government funded affordable housing (including Hawai'i Public Housing Authority- HPHA) which impact eligibility and eviction
 - ii. Strategy 2: Coordinate with HPHA to prepare new tenants for public housing and promote the transition of people in public housing to other forms of permanent housing in order to improve access for others in need
 - iii. Strategy 3: Streamline administrative processes in order to place tenants into public housing as quickly as possible
- III. Goal 3: Increase Economic Stability and Self-sufficiency
 - a. Objective 7: Increase meaningful and sustainable employment for people experiencing or most at risk of homelessness
 - i. Strategy 1: Ensure that job development and training programs include opportunities for people who are experiencing or most at risk of homelessness
 - ii. Strategy 2: Review government program policies, procedures, and regulations to identify and remove barriers and improve access to employment (e.g., criminal history barriers)

- iii. Strategy 3: Develop and disseminate best practices on helping people with histories of homelessness and barriers to employment enter the workforce
 - iv. Strategy 4: Improve coordination and integration of employment programs with homeless assistance programs, victim assistance programs, and housing and permanent supportive housing programs
 - v. Strategy 5: Develop job opportunities appropriate for a range of homeless individuals
 - b. Objective 8: Improve access to appropriate mainstream programs and services to reduce people's financial vulnerability to homelessness
 - i. Strategy 1: Promote the use of best practices in expedited access to income and work supports for people experiencing or at risk of homelessness
 - ii. Strategy 2: Review state program policies, procedures, and regulations to identify and remove barriers and improve access to income support
 - iii. Strategy 3: Coordinate with a variety of agencies - federal and state - to ensure that those who are homeless and those at risk of homelessness receive available and adequate services and/or benefits
 - iv. Strategy 4: Coordinate with a variety of agencies, State and Federal, to promote employment among released offenders
- IV. Goal 4: Improve Health and Stability
- a. Objective 9: Integrate primary and behavioral health care services with homeless assistance programs and housing
 - i. Strategy 1: Encourage partnerships between housing providers and health and behavioral health care providers to co-locate or coordinate health, behavioral health, safety, and wellness services with housing
 - ii. Strategy 2: Seek opportunities to establish medical respite programs (transition program for the medically fragile) to accommodate people being discharged from hospitals experiencing homelessness with complex health needs
 - iii. Strategy 3: Increase availability of and accessibility to health services for special populations (e.g., co-occurring disorders including mental illness, substance abuse, developmental disability, and medical frailty)

- iv. Strategy 4: Improve access to child and family services that improve early child development, educational stability, youth development, and quality of life for families
- v. Strategy 5: Increase accessibility and availability of health services in rural and underserved areas
- vi. Strategy 6: Identify more accessible resources for dental care and promote utilization.
- vii. Strategy 7: Create specialized service packages for community re-entry for populations such as families, veterans, disabled, youth aging out of systems, mentally ill offenders, and sex offenders so the individual does not revert back to harmful behaviors especially after successful discharge from substance abuse treatment
- b. Objective 10: Advance health and housing stability for youth aging out of systems such as foster care and juvenile justice
 - i. Strategy 1: Establish arrangement to provide for reporting of Department of Human Services and Office of Youth Services efforts (youth aging out of foster care and youth aging out of juvenile justice system, respectively) to the HICH
 - ii. Strategy 2: Have Hawai'i Continua of Care revisit Transition Age Youth (TAY) task force recommendations and prioritize actions
- c. Objective 11: Advance health and stability for people experiencing homelessness who have frequent contact with hospitals and the criminal justice system
 - i. Strategy 1: Improve discharge planning from medical centers, emergency departments, psychiatric facilities, jails, and prisons to connect people to housing, health and behavioral health support, income and work support, and health coverage prior to discharge
 - ii. Strategy 2: Promote targeted outreach strategies to identify the most vulnerable homeless people and connect them to the housing and support they need
 - iii. Strategy 3: Increase the number of jail diversion programs that are linked to housing and support

**REPORT TO THE TWENTY-SEVENTH HAWAII STATE
LEGISLATURE 2013**

**IN ACCORDANCE WITH THE PROVISIONS OF ACT 105, SECTION 4,
SESSION LAWS OF HAWAII 2012**

**DEPARTMENT OF HUMAN SERVICES
AND
HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS
DECEMBER 2012**

**REPORT ON ACT 105, SECTION 4, SESSION LAWS OF HAWAII (SLH) 2012,
RELATING TO THE HAWAII INTERAGENCY COUNCIL ON HOMELESSNESS**

Act 105, Section 4, SLH 2012 requires the Department of Human Services (DHS), in conjunction with and with the advisement of the Hawaii Interagency Council on Homelessness (HICH), to conduct a study on designating safe facilities located at camping areas or partially open or closed buildings that provide at least clean eating areas, showers, toilets, laundry facilities, and locker rooms in various locations throughout the State for homeless persons for overnight stays. The DHS and the HICH are required to report their findings and progress towards the establishment of designated safe facilities in various locations throughout the State for homeless persons for overnight stays pursuant to this Act.

The study is to consider the following:

- (1) Establishing a minimum fee for use of the designated safe facility, provided that any fee collected shall be used to offset expenses associated with the establishment and maintenance of the designated safe facilities;
- (2) Establishing rules and a code of conduct for individuals, couples, and families for overnight stays in a designated safe facility;
- (3) Authorizing the DHS to take appropriate action should a homeless individual, couple, or family not comply with the rules or participate in any illegal activity while in a designated safe facility;
- (4) Coordinating with state and county law enforcement officials to establish minimum security for the safety of individuals using the designated safe facilities;
- (5) Establishing partnerships between the DHS and community and nonprofit organizations in good standing with the State to provide voluntary support services for homeless persons who use the designated safe facilities;
- (6) Allowing users of a designated safe facility to enter the facility at sundown; provided that amenities provided at the designated safe facility may be used during daylight hours;
- (7) Stipulating that persons not using the amenities be prohibited from the premises and requiring them to vacate the premises by eight in the morning to allow maintenance of the facility;
- (8) Establishing a no loitering policy for daylight hours; and
- (9) Identifying rules to be adopted pursuant to chapter 91, Hawaii Revised Statutes, necessary for the implementation of designated safe facilities.

A working group assembled and reviewed Act 105, Section 4 and the fundamental question concerning the advisability of establishing evening-only encampments on public facilities for homeless individuals. A set of materials were collected and reviewed by the members of the working group. A series of interviews were also conducted with key officials from the federal Department of Housing and Urban Development (HUD) and from the United States Interagency Council on Homelessness.

Findings

Creating camping areas for homeless individuals in our parks and in our public buildings during evenings only, as specified under the terms of Act 105, Section 4, is unworkable, is not advisable, and should not be pursued. These findings are consistent with and supported by the plan to end homelessness adopted by the Hawaii Interagency Council on Homelessness...”to rapidly return people experiencing homelessness to stable housing... and to create and preserve permanent supportive housing options for people who are homeless..” (HICH Plan, Goal 2, objective 5).

The rationale for the recommendation against establishing safe public campgrounds or facilities as proposed in Act 105, Section 4, is as follows:

- This proposal is inconsistent with existing federal and State programs to stabilize homeless families by creating safe emergency and transitional shelters to prepare them for moving into and living in permanent supportive housing. Permanent housing is the key to homelessness and that all efforts should be to prepare homeless individuals to assume their residency in permanent housing.
- This proposal diverts scarce resources away from creating a path to permanent housing for homeless individuals by condoning, if not encouraging homelessness and the continuance of a nomadic lifestyle.
- This proposal will be expensive to implement and will not be able to guarantee the safety and well being of the homeless individuals involved.
- This proposal will jeopardize the safety and well-being of the surrounding neighborhood as homeless individuals return to the streets in those areas during daylight hours.
- This proposal will not be able to provide necessary wrap around services to individuals as is presently available to them in State emergency and transitional shelters.
- This proposal will not be able to guarantee the safety of homeless individuals for the evening because of the drop-in nature of the overnight shelter, the inability of the State or any hired contractor to identify potentially harmful persons in the encampment, and the high cost of hiring on site security during the hours the public areas are used as makeshift shelters. The low security nature of these evening-only encampments will potentially expose the State to liability for the harm done to homeless residents or other individuals.
- This proposal will not be able to ensure that all individuals are removed from the public areas and the areas are cleaned and sanitized in time for these public areas to be used by the general public during normal business hours.
- This proposal will not be able to protect and secure the personal property of homeless individuals, or enable them access to these materials at a reasonable

cost during the normal daylight hours that the public is allowed access to these areas. It is not advisable for the State to create a bailment of personal property for homeless individuals because of the potential that the State will be held liable for the theft, destruction, or loss of these items once they are placed in the possession of the State official.

- This proposal cannot guarantee that the conversion of these public areas will be viewed as desirable by presently homeless individuals such that they will move off of the streets and into these areas for the evening hours only.
- This proposal cannot guarantee that the communities using the public areas under consideration for conversion to night- time homeless shelters under the provisions of Act 105 will support the use of these public facilities in this manner. At a minimum, procedures should be created to enable adjacent community members to comment upon and be heard on whether conversion of these facilities be allowed to occur.

At an official meeting of the HICH on December 13, 2012, the HICH unanimously adopted this report's findings and recommendations as the official position of the HICH.