

# **BILL053(26)**

## **Testimony**

**MISC. COMM. 432**

\*PUBLIC SAFETY & ECONOMY (PSE)

**\*PUBLIC SAFETY & ECONOMY (PSE) Meeting**

Meeting Date: Oct 22, 2026 @ 01:00 PM

Support: 6

Oppose: 61

I wish to comment: 1

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| Name:<br>Jonathan Huynh                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Email:<br>jhweather123@yahoo.com | Zip:<br>96792                         |
| Representing:<br>Self                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Position:<br>Oppose              | Submitted:<br>Oct 16, 2026 @ 11:12 PM |
| <p>Testimony:</p> <p>Aloha,</p> <p>I am submitting this testimony in strong opposition to Bill 53.</p> <p>While I share the community's frustration with abandoned shopping carts blocking our sidewalks and waterways, this bill is the wrong solution. It uses criminal law to address a logistical failure, and it asks taxpayers to subsidize the security of private property.</p> <p>I oppose this bill for two primary reasons: it is fiscally irresponsible, and it is morally wrong.</p> <p>Shopping carts are valuable private property owned by retailers. It is the responsibility of a business to secure its inventory. When a grocery store fails to employ wheel locks or retrieval systems, that is a business decision to externalize their costs.</p> <p>By enacting this bill, the City is agreeing to use our limited police and court resources and jail capacity to act as a security force for these corporations. Every hour an officer spends arresting someone for possessing a cart is an hour not spent responding to violent crime, domestic violence, or theft. We should not be using public tax dollars to solve a problem that private businesses created and have the power to fix themselves.</p> <p>The severity of the penalties in this bill is shocking. It proposes up to 30 days in jail and a \$2,000 fine for the possession of a shopping cart.</p> <p>We must ask ourselves: is it just to imprison a person for a month and fine them thousands of dollars for the act of carrying their belongings? This is a draconian response to a symptom of poverty. The people targeted by this bill are our unsheltered neighbors who have nowhere else to store their possessions. They have no locker, no storage unit, and no home.</p> <p>Criminalizing survival with such harsh penalties creates insurmountable barriers to employment and housing, effectively trapping people in the cycle of poverty. Imposing a criminal record and significant debt on someone for simply trying to secure their belongings does not help them reintegrate into society. Instead, it creates new barriers that make finding employment and housing even more difficult.</p> <p>I urge the Council to reject this bill and focus on real solutions: holding property owners accountable for nuisances,</p> |                                  |                                       |

investing in housing, and providing adequate storage and services for those in need.

Mahalo,  
Jonathan Huynh

|                                             |                                |                                       |
|---------------------------------------------|--------------------------------|---------------------------------------|
| Name:<br>David Erdman                       | Email:<br>derdman@rmhawaii.org | Zip:<br>96916                         |
| Representing:<br>Retail Merchants of Hawaii | Position:<br>Support           | Submitted:<br>Oct 18, 2026 @ 07:21 AM |

|                        |                                 |                                       |
|------------------------|---------------------------------|---------------------------------------|
| Name:<br>Jacob Wiencek | Email:<br>jacob.m.wiencek@pm.me | Zip:<br>96815                         |
| Representing:<br>Self  | Position:<br>Support            | Submitted:<br>Oct 18, 2026 @ 06:31 PM |

Testimony:

Aloha Councilmembers,

I am glad to see this bill continue to advance through the legislative process. Stolen shopping carts are a serious problem for our communities. I see them everyday dumped on sidewalks, littered in parks and bus stops, and throw into the Ala Wai and its feeder streams. For a variety of public health, environment, and safety reasons, I strongly urge this committee to continue supporting this bill!

|                                                |                                     |                                       |
|------------------------------------------------|-------------------------------------|---------------------------------------|
| Name:<br>Hayley Cheng                          | Email:<br>hayley.y.cheng@hawaii.gov | Zip:<br>96817                         |
| Representing:<br>Office of the Public Defender | Position:<br>Oppose                 | Submitted:<br>Oct 20, 2026 @ 03:43 PM |

|                                                     |                                 |                                       |
|-----------------------------------------------------|---------------------------------|---------------------------------------|
| Name:<br>Liam Chinn                                 | Email:<br>Liamchinn@hotmail.com | Zip:<br>96822                         |
| Representing:<br>Hawai'i Community Safety Coalition | Position:<br>Oppose             | Submitted:<br>Oct 20, 2026 @ 03:45 PM |

|                       |                                   |                                       |
|-----------------------|-----------------------------------|---------------------------------------|
| Name:<br>Ethan Chang  | Email:<br>ethan.o.chang@gmail.com | Zip:<br>96813                         |
| Representing:<br>Self | Position:<br>Oppose               | Submitted:<br>Oct 21, 2026 @ 05:01 AM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Ethan Chang, and I reside in Makiki and am a member of the Hawai'i Community Safety Coalition.

I am writing to urge you to oppose Bill 53, Relating to Shopping Carts.

Bill 53 creates a new mechanism for criminalizing people who are poor and unhoused; people who often have no alternative means of transporting and storing their belongings. Under Bill 53, a person can face a fine of up to \$2,000 or as much as 30 days in jail simply for possessing or using a shopping cart outside a store's premises. For someone living unsheltered, a shopping cart may function as a storage unit, luggage cart, or even a mobility aid. Civil Beat recently reported on an unhoused man who described his cart as being "almost like my walker." (Honolulu Civil Beat)

Put plainly, Bill 53 a poverty tax. A \$2,000 fine is not a meaningful deterrent for someone who has no ability to pay it; it is an additional debt imposed on someone already living without the resources necessary to meet basic needs. Rather than asking, "What does this person need in order to no longer need a shopping cart?" the bill asks, "How can we make possessing the cart punishable?" That is a profound shift from addressing homelessness to managing the visible presence of poor people in public space.

If we believe that housing is the answer to homelessness, then our policies should make it easier for people experiencing homelessness to survive long enough to reach housing. If we believe in serving people with dignity, then we should not confiscate the very means by which they carry their lives.

I hope you will stand on the side of the people most affected by this bill and vote NO on Bill 53.

Mahalo for your service to our community and for your consideration.

Aloha,  
Ethan Chang

|                            |                               |                                       |
|----------------------------|-------------------------------|---------------------------------------|
| Name:<br>Cameron Rasmussen | Email:<br>camron916@gmail.com | Zip:<br>96822                         |
| Representing:<br>Self      | Position:<br>Oppose           | Submitted:<br>Oct 21, 2026 @ 06:26 AM |

Testimony:  
Aloha Chair and members of the Public Safety Committee,

My name is Cameron Rasmussen, and I [live in Mānoa and work with the Hawai'i Community Safety Coalition.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first

place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Sincerely,

Cameron Rasmussen

|                    |                      |                         |
|--------------------|----------------------|-------------------------|
| Name:              | Email:               | Zip:                    |
| Colleen Rost-Banik | crostbanik@gmail.com | 96815                   |
| Representing:      | Position:            | Submitted:              |
| Self               | Oppose               | Oct 21, 2026 @ 06:57 AM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Colleen Rost-Banik, and I have lived in Waikiki for over 10 years.

I'm testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty and is an utterly inhumane bill. Fining a unhoused person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house them or address why they have a cart in the first place. A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help secure ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i were unhoused prior to their detention. Nearly all of them come back multiple times a year.

This bill would send more of our unhoused residents to jail at an enormous financial and human cost, for no lasting result. The bill would also seize a person's cart and everything in it, which is often filled with documents that they need to receive medical care and other services.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed. What criminalizing homelessness DOES do is increase jail numbers. The City Council should be ashamed for even proposing and considering this bill. Have we lost all sense of the Law of the Splintered Paddle?

Please vote no on Bill 53.

Sincerely,

Colleen Rost-Banik, Ph.D.

|               |                            |       |
|---------------|----------------------------|-------|
| Name:         | Email:                     | Zip:  |
| Lorenn Walker | lorennn@hawaiiifriends.org | 96811 |

|                                       |           |                         |
|---------------------------------------|-----------|-------------------------|
| Representing:                         | Position: | Submitted:              |
| Hawaii friends of restorative justice | Oppose    | Oct 21, 2026 @ 07:01 AM |

|                 |                      |       |
|-----------------|----------------------|-------|
| Name:           | Email:               | Zip:  |
| John Mark Mageo | jmageo@abcstores.com | 96813 |

|               |           |                         |
|---------------|-----------|-------------------------|
| Representing: | Position: | Submitted:              |
| ABC Stores    | Support   | Oct 21, 2026 @ 07:32 AM |

|                 |                         |       |
|-----------------|-------------------------|-------|
| Name:           | Email:                  | Zip:  |
| Luanna Peterson | nourishdesoul@gmail.com | 96821 |

|               |           |                         |
|---------------|-----------|-------------------------|
| Representing: | Position: | Submitted:              |
| Self          | Oppose    | Oct 21, 2026 @ 08:01 AM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Luanna Peterson, and I live in Niu Valley.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Mahalo,  
Luanna Peterson

|               |                     |                         |
|---------------|---------------------|-------------------------|
| Name:         | Email:              | Zip:                    |
| Kevin Landers | kvnplndrs@gmail.com | 96817                   |
| Representing: | Position:           | Submitted:              |
| Self          | Oppose              | Oct 21, 2026 @ 08:58 AM |

Testimony:  
Aloha

Imagine thinking that a fine will motivate the behavior of a person who is already so destitute that they don't have shelter, or that the insane amount of money it costs to warehouse criminalized vulnerable neighbors in jail is a responsible use of government and public money. Shame on this council for even presenting such a brutal and clueless measure. This idea is in conflict with Kānāwai Māmalahoe.

|               |                  |       |
|---------------|------------------|-------|
| Name:         | Email:           | Zip:  |
| Kristen Young | kyoung@hcucc.org | 96813 |

|                                                    |                     |                                       |
|----------------------------------------------------|---------------------|---------------------------------------|
| Representing:<br>Faith Action for Community Equity | Position:<br>Oppose | Submitted:<br>Oct 21, 2026 @ 08:58 AM |
|----------------------------------------------------|---------------------|---------------------------------------|

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Kristen Young, I live in Honolulu, and I am with Faith Action for Community Equity, the Hawai'i Community Safety Coalition, and Reimagining Public Safety Coalition.

I'm testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

I find this bill to be extremely cruel and not at all helpful to the issue at hand as it unfairly targets unsheltered folks who cannot pay a \$2,000 fine. Because we have done such a poor job of housing and caring for people, they go unsheltered and require a way to transport their belongings. Then we take away something that was of use to them and penalize them for having had it. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail. According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

When people are put in jail, their IDs, medications, and belongings are confiscated and they are left without the things they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems that can be solved with retailer accountability, such as marking and locking carts, and with storage and housing. We do not need to make our neighbors suffer for this.

Please vote no on Bill 53.

Mahalo for your consideration,

Kristen Young

Honolulu, HI 96813

Name:

Johnnie-Mae L. Perry

Email:

waianaenb569@gmail.com

Zip:

96792

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 09:24 AM

Testimony:

I, Johnnie-Mae L. Perry, OPPOSE BILL053(26)

RELATING TO SHOPPING CARTS.

REASONS: Not only the "unsheltered" population uses and/or take the retail shopping carts beyond the retail property, BUT ALSO KUPUNAS/RESIDENTS WHO LIVES IN AFFORDABLE HI-RISE/HOUSING to go shopping at a nearby retail mall for food and necessities because they DO NOT OWN A VEHICLE. Council prefers "non-vehicles" owner DEPEND ON THE CITY'S HANDIVAN SERVICES, which is already STRESSED!

Get a good look at your neighborhood to see if this is true or not. Besides, HPD enforcement? Really? As Chair Waters said at one of his neighborhood meetings via zoom "it's nice to have this law on the books" leverage for HPD officers.

Retails can purchase shopping charts that is already on the market with sensor that will automatically "locked up" beyond a certain distance. Wai'anae Mall Longs Drugs are using them.

Name:

Keke Walker

Email:

keke@pdx.edu

Zip:

96744

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 09:25 AM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Keke Walker, and I live in Kaneohe as well as work in Honolulu. Specifically, I work with an organization that provides services to individuals experiencing housing instability in the downtown area.

I'm testifying in strong opposition to Bill 53 CD1 as it criminalizes poverty and will further burden those who are already pushed to the margins of our community. Fining a person whose experiencing homelessness up to \$2,000 or jailing them for up to 30 days over a shopping cart will not solve the issue of said person needing access to the cart in the first place nor will protect the menial investment of the cart or store owners. What store owners should do is look for thoughtful solutions to stop their carts from leaving the store and put the burden on the business owner rather than our most vulnerable community members. This fine and repercussion proposed will effectively bring people who deserve and need care into a cycle of harm and hurdles that will keep them from stability.

Most community members housed or unhoused cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

We know what \$9,200 could do for a person in need if we spent it on housing and services instead of a cell. That money could fund outreach, community support programming, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness and bring more safety into my community

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our neighbors and community members to jail at for an unnecessary cost, for no lasting result. The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53 and due your due diligence in keeping our community safe.

|                         |                                 |                                       |
|-------------------------|---------------------------------|---------------------------------------|
| Name:<br>Krista Vessell | Email:<br>hengest1066@yahoo.com | Zip:<br>98614                         |
| Representing:<br>Self   | Position:<br>Oppose             | Submitted:<br>Oct 21, 2026 @ 09:26 AM |

Testimony:

As a formerly houseless resident of Honolulu (and a mother on top of it), I STRONGLY OPPOSE this ridiculous piece of legislation. How is fining a person WHO IS HOMELESS \$2,000 for putting what little belongings they have in a shopping cart going to SOLVE THE HOMELESS CRISIS that is being directly driven by REAL ESTATE GREED and FORCED POVERTY WHICH BREEDS CRIME AND DRUG USE? Over the past decade, it has been UTTERLY HORRIFIC watching the absoluteky ridiculous lengths the City and County will go to avoid ACTUALLY SOLVING THE HOUSELESS CRISIS. Houseless people need PERMANENT, STABLE HOUSING. Not toolsheds, not not criminalization, not "compassionate disruption," not pretty trash cans in Waikiki and CERTAINLY not baseball bats or passive-aggressive "fines" for shopping carts. If this piece of legislation passes, SHAME ON YOU.

|                        |                             |                                       |
|------------------------|-----------------------------|---------------------------------------|
| Name:<br>Elsa Nakasone | Email:<br>enksone@gmail.com | Zip:<br>96789                         |
| Representing:<br>Self  | Position:<br>Oppose         | Submitted:<br>Oct 21, 2026 @ 09:34 AM |

Testimony:

The penalties proposed are not proportional to the action, usually done out of desperation and to cause the least harm to the community. This is not a big threat to the community and this policy is only effective if it is enforced which would take our police officers away from where they are actually needed while already short handed or take up space in jails when violent criminals are getting released due to space limitations. If this is a big problem I would like to see social services provide for the need by providing a substitute for the shopping carts. Almost everyone could be bankrupted from a single critical medical crisis/diagnosis and make decisions they wouldn't do otherwise, this seems to punish those choices retroactively without providing another choice.

Name:

BIANCA ISAKI

Email:

bianca.isaki@gmail.com

Zip:

96744

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 09:37 AM

Testimony:

Aloha Councilmembers,

Please OPPOSE Bill 53 which would fine people up to \$2,000 or jail them for 30 days for having a shopping cart, a penalty that unfairly targets unsheltered residents.

This bill criminalizes poverty. It is wrong.

Yours,

Bianca Isaki

Name:

Jonathan Yim

Email:

jjy@489group.com

Zip:

96817

Representing:

Self

Position:

I wish to comment

Submitted:

Oct 21, 2026 @ 09:50 AM

Testimony:

Criminalizing poverty does not help the most vulnerable members of our community. The resources expended on prosecution and incarceration would be better allocated towards services and housing.

Name:

Avery Aetonu

Email:

avaetonu@gmail.com

Zip:

96782

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 09:54 AM

Testimony:

I do not support this bill and vote NO on Bill 53

As a community health worker that services the public that identify as homeless and unhoused, this bill is a negative

impact to people trying to stabilize their lives in homelessness, substance use, mental health challenges, and other stigmatizing language towards people with these social needs. When citizens do not have a safe place to sleep or store their things, they rely on shopping carts to keep their belongings with them. The focus and effort should be focused on housing and stabilizing citizens that are experiencing homelessness. Provide a safe and collaborative space with enough case management and resource support to address the medical, social determinant, and stabilizing support to take citizens off the street and into a more permanent living situation. Criminalizing citizens further for their homelessness does not solve the issues that have led them to using a shopping cart for survival and will increase the financial burden for the city to support a bill that these affected citizens can't pay.

I urge you to vote against Bill 53 and vote NO.

|                                 |                                  |                                       |
|---------------------------------|----------------------------------|---------------------------------------|
| Name:<br>Kalei K-aloha          | Email:<br>brytni@ekolumeanui.org | Zip:<br>96749                         |
| Representing:<br>'Ekelu Mea Nui | Position:<br>Oppose              | Submitted:<br>Oct 21, 2026 @ 10:05 AM |
| Name:<br>Carrie Ann Shirota     | Email:<br>cashirota808@gmail.com | Zip:<br>96813                         |
| Representing:<br>Self           | Position:<br>Oppose              | Submitted:<br>Oct 21, 2026 @ 10:21 AM |
| Name:<br>Amanda Spikes          | Email:<br>spikesa@gmail.com      | Zip:<br>96817                         |
| Representing:<br>Self           | Position:<br>Oppose              | Submitted:<br>Oct 21, 2026 @ 10:26 AM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Amanda, and I live in Pu'unui and work throughout O'ahu.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money

could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

|               |                     |                         |
|---------------|---------------------|-------------------------|
| Name:         | Email:              | Zip:                    |
| Kaylan Bray   | kaylanbr@hawaii.edu | 96826                   |
| Representing: | Position:           | Submitted:              |
| Self          | Oppose              | Oct 21, 2026 @ 10:30 AM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Kaylan Bray, and I live in Mō'ili'ili.

I'm testifying in strong OPPOSITION to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

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The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing. Personally, in all my 15 years living here in Honolulu I have never once been affected by a homeless person's shopping cart in any way or form, not even a blocked drive way.

I also believe that passing this bill sends the message to the community that the affordable housing projects our state government has been ensuring us are successful, are in fact failing.

Please vote NO on Bill 53.

Mahalo,  
Kaylan Bray

|               |                              |                         |
|---------------|------------------------------|-------------------------|
| Name:         | Email:                       | Zip:                    |
| Will Caron    | willcaronforhawaii@gmail.com | 96744                   |
| Representing: | Position:                    | Submitted:              |
| Self          | Oppose                       | Oct 21, 2026 @ 10:45 AM |

Testimony:  
Aloha Committee Members,

I am submitting testimony in strong opposition to Bill 53. While I share the community's frustration with abandoned shopping carts, this bill is a costly, ineffective, and disproportionate response that punishes poverty rather than solving a

problem. The people most affected by this bill cannot pay the fine and cannot comply with its requirements.

A person living unsheltered on the street has no realistic way to pay a \$2,000 fine. Unpaid fines become warrants, arrests, and court debt—barriers to housing and employment. The bill only allows possession of a shopping cart if a person is the owner or has written authorization. Someone without housing has no realistic path to obtaining that authorization. This is not a solution; it is a trap.

Jail is expensive and it does not work. It costs taxpayers roughly \$307 per day to incarcerate someone in Hawai'i. A 30-day sentence for a cart-related offense would cost approximately \$9,200. At least 38% of people in Hawai'i's jails are homeless. Bill 53 feeds more people into a system already holding far too many people for being poor. Jail is a revolving door that costs us thousands of dollars each time it turns, without addressing the reason the person had a cart in the first place. The cause is the lack of affordable housing and shelter, not the shopping cart. If carts are removed and no housing or storage is offered, people still need to carry their belongings and will find another way. The problem moves, and the people are worse off.

That money would go further if it was invested in people. For the cost of one 30-day sentence, we could fund outreach, case management, storage for belongings, help securing ID and benefits, and move-in assistance. Those are investments that can actually end a person's homelessness. Spending \$9,200 repeatedly to arrest and jail the same people multiple times a year is the most expensive way to achieve nothing. Housing is the cheaper and more effective path.

The penalties are out of proportion to the offense. The maximum fine and jail term far exceed the value of a cart. The bill makes each cart a separate violation, allowing penalties to stack, and requires forfeiture of the cart—taking a person's belongings on top of the fine and jail time.

Fining and jailing people undermines the path to housing. Arrest and incarceration separate people from IDs, medications, documents, and belongings—exactly what housing programs require. Each citation, arrest, and court date sets back the case management and outreach that move people indoors.

Cart theft and abandonment can be addressed without jail. Taking property from a store is already unlawful. Stores have preventive tools: wheel-lock systems, deposit mechanisms, marked carts, and retrieval programs. Placing all the responsibility on the person at the end of the chain is backwards.

Carts serve as mobility aids and storage for people with disabilities. For people with mobility limitations, a cart can function as a walker or support. The bill's findings invoke people with disabilities, but the bill itself contains no accommodation for them. Treating carts as contraband creates serious access and civil rights problems.

The bill is over-broad. The definition covers metal or plastic handcarts on three or more wheels with sides and a capacity of at least 40 liters. Council members should ask Corporation Counsel exactly what this language includes, including carts

and wagons people lawfully own. The affirmative defense requires written authorization from the owner, arrives only after arrest or citation, and puts the burden on the person charged—a person without housing is very unlikely to obtain it.

For these reasons, I urge the Council to reject Bill 53 and instead invest in housing, storage, and services that actually address the root causes of homelessness.

Mahalo for your consideration.

|                          |                                   |                                       |
|--------------------------|-----------------------------------|---------------------------------------|
| Name:<br>Jasmyne Mendoza | Email:<br>jas.mendozz03@gmail.com | Zip:<br>96813                         |
| Representing:<br>Self    | Position:<br>Oppose               | Submitted:<br>Oct 21, 2026 @ 11:41 AM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Jasmyne Mendoza, and I live in Honolulu.

I'm testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37% of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result. The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Name:

Sean Koegel

Email:

seankoegel@gmail.com

Zip:

96816

Representing:

Self

Position:

Support

Submitted:

Oct 21, 2026 @ 11:44 AM

Testimony:

I firmly support Bill 053(26) Relating to Shopping Carts. Taking a shopping cart from a merchant is theft. Leaving a stolen shopping cart in a public space is an act of littering. These are violations of our laws. No one has the right to a shopping cart. Shopping carts belong at specified locations such as a grocery store and should not be found along our sidewalks, parks or in waterways. If carts are found outside of their designated area (I.e. grocery store) they should be confiscated.

Name:

Lauren Kim

Email:

kimlauren014@gmail.com

Zip:

96814

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 11:51 AM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Lauren Kim, and I live in Honolulu.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result. The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts,

and with storage and housing.

Please vote no on Bill 53.

|                             |                                   |                                       |
|-----------------------------|-----------------------------------|---------------------------------------|
| Name:<br>Steph Siska-Salkin | Email:<br>steph.salkin@icloud.com | Zip:<br>96816                         |
| Representing:<br>Self       | Position:<br>Oppose               | Submitted:<br>Oct 21, 2026 @ 11:53 AM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Steph Aguinaldo Siska-Salkin, and I live in Kaimuki, study at Mānoa, and I am completing practicum at a local Kauhale.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place. I am seeing hope, connection, and increasing competency in the residents of the Kauhale, and often see others carting all of their belongings in these carts. Some of them have mobility issues and cannot carry their belongings.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Name:

Ren Ikeda

Email:

renikeda@hawaii.edu

Zip:

96814

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 11:55 AM

Testimony:

Iloha Chair and members of the Public Safety Committee,

My name is Ren Ikeda, and I am a medical student at the John A. Burns School of Medicine.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Name:

Nikos Leverenz

Email:

naleverenz@gmail.com

Zip:

96818

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 11:56 AM

Name:

Elizabeth Rooks

Email:

lizarooks@gmail.com

Zip:

96734

Representing:

Position:

Submitted:

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |        |                         |
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| Self                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Oppose | Oct 21, 2026 @ 12:00 PM |
| <p>Testimony:</p> <p>Aloha Chair and members of the Public Safety Committee,</p> <p>My name is Elizabeth Rooks, and I live in Kailua and am a 4th year medical student at the John A. Burns School of Medicine.</p> <p>I'm testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.</p> <p>A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.</p> <p>Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.</p> <p>According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year. Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.</p> <p>The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.</p> <p>The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.</p> <p>Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing. Please vote no on Bill 53.</p> <p>Mahalo for your time and consideration,</p> <p>Elizabeth Rooks</p> |        |                         |

|                        |                                      |                                       |
|------------------------|--------------------------------------|---------------------------------------|
| Name:<br>Chachie Abara | Email:<br>macristina.abara@gmail.com | Zip:<br>96797                         |
| Representing:<br>Self  | Position:<br>Oppose                  | Submitted:<br>Oct 21, 2026 @ 12:01 PM |

Testimony:

Bill 53 (26)

Thursday, October 22, 2026

1:00PM

In Opposition

Aloha, and mabuhay! My name is Chachie A and I am a Community Organizer. I am testifying in opposition for Bill 53 - Relating to Shopping Carts which by definition according to the bill is regulating the possession and abandonment of shopping carts in order to reduce the threat that it imposed to the health, safety, and welfare of the public.

The reason behind my position is that the population that this would affect this mostly is our houseless population as well as our kupuna (senior citizens) who may rely on shopping carts as mode of transportation of goods, and items to wherever they may need to deliver to. I think that with this Bill it criminalizes our houseless, elderly and vulnerable populations who may have no other way to transport their said items.

To look at it more closely the cost of incarceration vs. housing in which spending taxpayers money on criminalizing individuals over a shopping cart is more a nuisance than investing in constructive housing or storage solutions. While there are many business advocates who note that the carts cost hundreds of dollars to replace, it is arguably that the administrative, legal, and incarceration cost borne by taxpayers to prosecute these misdemeanor level offenses will outweigh the actual economic damage to retailers. In addition to this with unhoused individuals who are frequently on the go especially being forced to move their belongings and camps, shopping carts are the only way to keep their essential items together 24/7.

Rather than criminalizing individuals with this Bill, there are far better alternatives that can be utilized which is creating a retail side technological deterrents like an electronic wheel-locking mechanism within store perimeters which is being done at stores like Target Alamoana. Also, another alternative way is developing a city or state supported managed storage programs where unhoused individuals can safely store belongings without the risk of being criminal prosecuted. And for our elderly populations, having a store escorts that would assist elderly from bringing their groceries to their car which could also create job security for our retail workers.

Overall, this Bill itself which I see the intent behind why Councilmember Waters created this bill especially with the amount of carts that is being found in various places -- I also see that there are far better alternatives that could be well thought out rather than creating a bill that criminalized not only our houseless population but also our elderly and the

vulnerable. Again, I am in opposition for this measure. And I humbly thank you for allowing me to testify for this. Mahalo!

|                                                        |                           |                                       |
|--------------------------------------------------------|---------------------------|---------------------------------------|
| Name:<br>Heather Lusk                                  | Email:<br>hlusk@hhhrc.org | Zip:<br>96813-5416                    |
| Representing:<br>Hawaii Health & Harm Reduction Center | Position:<br>Oppose       | Submitted:<br>Oct 21, 2026 @ 12:04 PM |

Testimony:

Aloha Chair and members of the Committee:

My name is Heather Lusk and I am the ED of the Hawaii Health & Harm Reduction Center (H3RC) and I respectfully oppose Bill 53 that would fine and/or jail people experiencing houselessness who are in possession of a shopping cart.

H3RC has decades of experience working with people who are unsheltered and Bill 53 would make it even more difficult to support people in accessing housing, and the resources necessary to enforce this measure could instead be helping people obtain and retain housing. It costs approximately 9K for 30 days of incarceration, and we could not only house but provide wrap-around support for less than it would cost to enforce this measure.

Blocked sidewalks and lost shopping wagons are a real problems but Bill 53 will not address the underlying reason they are utilized - homelessness. We need our resources to go address housing, healthcare, food and other survival issues for our community and not making it even more difficult to find housing. Thank you .

Heather Lusk

|                        |                                    |                                       |
|------------------------|------------------------------------|---------------------------------------|
| Name:<br>Andrea Staley | Email:<br>staley.andrea6@gmail.com | Zip:<br>96813                         |
| Representing:<br>Self  | Position:<br>Oppose                | Submitted:<br>Oct 21, 2026 @ 12:09 PM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Andrea, and I live and work in City Council District 6.

I'm testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty. Fining a person experiencing homelessness for up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address the systemic issues underlying why someone uses a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. Jail is not a solution. It costs \$307 per day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200 for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in

assistance. Those are investments that can end a person’s homelessness, rather than a recurring bill that falls on taxpayers each time an individual cycles in and out of incarceration.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in Hawai’i’s jails are homeless, and the real number is likely higher. Nearly all of them cycle in and out multiple times a year because of systemic failures, including legislation that criminalizes poverty and fails to invest in adequate infrastructure, resources, and policies to address Hawai’i’s housing crisis and high cost of living.

Jail is a major disruption for people experiencing homelessness, resulting in lost IDs and other vital documents, medications, and belongings, which are exactly what they need to get housed. The bill would also seize a person’s cart and everything in it. CD1’s only defense requires written permission from the owner, which no one living on the street can realistically obtain.

In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result or benefit to the community.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Mahalo for your time and consideration. Please vote no on Bill 53.

|                |                      |                         |
|----------------|----------------------|-------------------------|
| Name:          | Email:               | Zip:                    |
| Kylie Yamauchi | kyamauchi18@gmai.com | 96822                   |
| Representing:  | Position:            | Submitted:              |
| Self           | Oppose               | Oct 21, 2026 @ 12:09 PM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Kylie and I live in Makiki.

I’m testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai’i. A 30-day sentence costs taxpayers about \$9,200, for a cart-

related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

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Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

|                      |                       |                         |
|----------------------|-----------------------|-------------------------|
| Name:                | Email:                | Zip:                    |
| Raelyn Reyno Yeomans | raelynreyno@gmail.com | 96734                   |
| Representing:        | Position:             | Submitted:              |
| Self                 | Oppose                | Oct 21, 2026 @ 12:12 PM |

Testimony:

I strongly oppose this bill as being incredibly short sighted. This attack on the Houseless will only serve to exasperate the suffering of people and cost the community in enforcement and incarceration....all over a shopping cart. And what about my elderly neighbors here in Kailua that use Safeway shopping carts to transport their groceries across the street? Will they also be charged a \$2000 fine and 30 days in jail? Why does the City Council want to needlessly burden the community like this? The Target Store next to my home does not have a cart issue as the cart wheels lock up when they reach the edge of their parking lot. Let the corporations take responsibility for their carts. This bill is an embarrassment and I strongly oppose.

|               |                    |                         |
|---------------|--------------------|-------------------------|
| Name:         | Email:             | Zip:                    |
| Joshua Jacobs | joshirmi@gmail.com | 96816                   |
| Representing: | Position:          | Submitted:              |
| Self          | Oppose             | Oct 21, 2026 @ 12:29 PM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Joshua Jacobs, MD, and I live in Kapahulu.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

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According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

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The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Name:

Raelynn C

Email:

rchu6@hawaii.edu

Zip:

96813

Representing:

Hawaii HOME Project

Position:

Oppose

Submitted:

Oct 21, 2026 @ 12:30 PM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Raelynn, and I am a University of Hawaii John A. Burns School of Medicine student volunteer at the Hawaii HOME Project.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-

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Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

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Please vote no on Bill 53.

Name:

Dylan Lawton

Email:

dlawton2016@gmail.com

Zip:

96789

Representing:

John A. Burns School of Medicine

Position:

Oppose

Submitted:

Oct 21, 2026 @ 12:31 PM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Dylan Lawton, and I am a current medical student at the University of Hawai'i John A. Burns School of Medicine. I am also a former student manager and lifelong supporter for the Hawai'i Houseless Outreach and Medical Education (HOME) Project.

I'm testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place. A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail. According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year. Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result. The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on

the street can realistically obtain. The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed. Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Sincerely,  
Dylan Lawton

|                       |                                     |                                       |
|-----------------------|-------------------------------------|---------------------------------------|
| Name:<br>Kaitlin Joy  | Email:<br>kate.joy.avenue@gmail.com | Zip:<br>96792                         |
| Representing:<br>Self | Position:<br>Oppose                 | Submitted:<br>Oct 21, 2026 @ 12:33 PM |

Testimony:

Aloha Chair and Members of the Public Safety Committee,

My name is Kaitlin Joy, and I have been a resident of Hawai'i for 13 years, including the past six years living, working and raising my children on the Wai'anae Coast.

I am writing to express my strong opposition to Bill 53 CD1 because in practice it criminalizes poverty rather than finding wholistic solutions to improve communities. Fining someone who is houseless up to \$2,000 or sentencing them to up to 30 days in jail over a shopping cart will not provide housing or address why they need a cart in the first place.

A person living on the streets is unlikely to be able to pay a \$2,000 fine. Instead, that fine can lead to a warrant, an arrest, and eventually jail time. Jail is not a solution to homelessness. In Hawai'i, it costs approximately \$307 per day to incarcerate someone. A 30-day sentence costs taxpayers about \$9,200 for an offense related to a shopping cart.

Imagine the difference that \$9,200 could make if it were invested in helping a person secure housing instead of paying for incarceration. Those funds could support outreach, case management, safe storage for personal belongings, assistance obtaining identification and benefits, and help with moving into housing. These are meaningful investments that can help end a person's homelessness, rather than expenses we continue to incur each time someone returns to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in Hawai'i's jails are homeless, and the actual number is likely higher. Nearly all of them return multiple times throughout the year.

Incarceration can also result in people losing access to their identification, medications, and personal belongings—items that are essential to securing housing and rebuilding stability. Ultimately, this bill would send more of our houseless neighbors to jail at a significant financial and human cost, without providing a lasting solution.

I am also concerned that the bill would allow a person's cart and everything inside it to be seized. Under CD1, the only defense requires written permission from the cart's owner, a requirement that is simply unrealistic for someone living on the street to obtain.

Research consistently shows that criminalizing homelessness does not solve it. Issuing citations, imposing jail time, and taking away people's belongings create additional barriers to securing housing and moving forward.

For these reasons, I respectfully urge the Public Safety Committee to vote NO on Bill 53 CD1. We can address community concerns while treating our houseless residents with dignity and compassion. Our resources are better spent on solutions that help people find stability and housing, rather than policies that punish them for being poor.

Mahalo for your time and consideration.

|                       |                         |                         |
|-----------------------|-------------------------|-------------------------|
| Name:                 | Email:                  | Zip:                    |
| Teresa Schiff-Elfalan | teresa.schiff@gmail.com | 96821                   |
| Representing:         | Position:               | Submitted:              |
| Self                  | Oppose                  | Oct 21, 2026 @ 12:37 PM |

Testimony:

I strongly oppose this Bill, which will do little to change the conditions which lead people to need to be in possession of shopping carts for their personal goods. Furthermore, fining them or putting them in jail would further harm someone experiencing homelessness and make it likely for them to remain homeless for an even longer period of time. As a taxpayer, I do not support the use of our jail system for this. As a Physician who takes care of patients who are experiencing homelessness, I know firsthand how harmful it can be when one loses all of their possessions, including their vital documents, IDs and medications. Confiscating the contents in the shopping carts. In addition to fines and potential jail time is extremely harmful to individuals and families who often rely on what's in their possession for survival. Thank you.

|               |                         |                         |
|---------------|-------------------------|-------------------------|
| Name:         | Email:                  | Zip:                    |
| Dylan Davis   | dylan.l.davis@gmail.com | 96822                   |
| Representing: | Position:               | Submitted:              |
| Self          | Oppose                  | Oct 21, 2026 @ 12:38 PM |

Testimony:

Aloha respected Chair and members of the Committee,

My name is Dylan Davis and I live in Makiki.

I'm testifying in strong opposition to Bill 53 CD1 as I feel it criminalizes poverty. Fining a person up to \$2,000 or jailing

them for up to 30 days over a shopping cart, used almost exclusively by the houseless population, will not meaningfully address public safety.

A person living outside cannot pay a \$2,000 fine. Issuing such a fine in such cases is cartoonishly violent. Such a fine could become a warrant, then an arrest, then jail time. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

The math alone should be sufficient to indicate that this bill would not be efficient at making our county safer. The larger picture of federal overuse of punitive, carceral measures is a trend I would like our county to be an exception to, rather than a supporting statistic of. Such methods cast a great shadow over the foundational values which our society purportedly upholds in its treatment and protection of its citizens, particularly its most vulnerable.

Please vote no on Bill 53."

|               |                      |                         |
|---------------|----------------------|-------------------------|
| Name:         | Email:               | Zip:                    |
| Rodney Powell | rodwell541@gmaul.com | 96720                   |
| Representing: | Position:            | Submitted:              |
| Self          | Oppose               | Oct 21, 2026 @ 12:41 PM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Rodney Powell, and I live in / work in Hawaii County.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result. The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings

make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Rodney Powell

Name:

Zachary Fraser

Email:

zrgfraser720@gmail.com

Zip:

96817

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 12:42 PM

Testimony:

My name is Zac Fraser and I live in Alewa Heights. I have worked serving the unhoused community for over 10 years. This bill is a huge step in the wrong direction. Instead of further criminalizing houselessness, the legislature would be better served seeking to make housing more affordable and accessible, especially to our Kanaka Maoli. Not only does this bill fail to address the root causes of houselessness in Hawai'i, but it would pull tax-payer resources further away from equitable solutions to the housing crisis.

Make housing affordable, increase wages, expand social services. Tax the rich, not the homeless. Be akamai and have a heart.

Name:

Lauren Seu

Email:

laurseu@gmail.com

Zip:

96813

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 12:46 PM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Lauren, and I live and work in Kaka'ako and Iwilei.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result. The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

|                       |                            |                                       |
|-----------------------|----------------------------|---------------------------------------|
| Name:<br>Sanoë iaea   | Email:<br>iaea_s@yahoo.com | Zip:<br>96792                         |
| Representing:<br>Self | Position:<br>Oppose        | Submitted:<br>Oct 21, 2026 @ 12:47 PM |

Testimony:

Aloha Chair and Councilmembers,

I am writing in opposition to Bill 053 because I am concerned that it will disproportionately punish people experiencing homelessness. Many individuals who are homeless already face significant financial hardship and will not have the ability to pay the proposed penalties.

When someone cannot afford to pay a fine, criminal penalties can create a cycle that leads to further hardship, including possible jail time, rather than addressing the root causes of the issue.

We should be looking for solutions that address abandoned shopping carts while protecting our most vulnerable community members. I urge the Council to consider approaches that prioritize accountability, outreach, and support instead of penalties that could further criminalize poverty.

Please reconsider Bill 053 and its potential impact on people experiencing homelessness.

Mahalo for your time and consideration.

|                              |                               |                                       |
|------------------------------|-------------------------------|---------------------------------------|
| Name:<br>Lindsay Ann Pacheco | Email:<br>pachecol@hawaii.edu | Zip:<br>96826                         |
| Representing:<br>Self        | Position:<br>Oppose           | Submitted:<br>Oct 21, 2026 @ 12:51 PM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Lindsay Ann Pacheco and I identify as someone with previous lived experiences in houselessness who currently resides and works within the McCully to Iwilei areas.

I'm testifying in strong opposition to Bill 53 CD1 because it purely criminalizes poverty. Fining a houseless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place. In fact, it will do worse, it will make it even harder for someone to get into housing because of the criminal record that will now follow the individual simply because of a shopping cart.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's houselessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are houseless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed.

In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing houselessness does not reduce houselessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Name:

Haley Meyer

Email:

haleym2@hawaii.edu

Zip:

96789

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| Representing:<br>Self                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Position:<br>Oppose           | Submitted:<br>Oct 21, 2026 @ 12:57 PM |
| <p>Testimony:</p> <p>Aloha Chair and members of the Public Safety Committee,</p> <p>My name is Haley Meyer, and I am a student at the University of Hawai'i at Manoa.</p> <p>I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place. Having a shopping cart is often the only way a person can keep their humanity and important items for them. Fining a homeless person up to \$2,000, money they don't have, will not make any long-term change. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.</p> <p>Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.</p> <p>According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year. If we focus on prevention rather than punishment, we can reduce the number of people in jail while also providing support to those who need it most.</p> <p>The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain. People often carry their most important things in these carts such as IDs, medications, and clothes.</p> <p>The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.</p> <p>Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.</p> <p>Please vote no on Bill 53.</p> |                               |                                       |
| Name:<br>Michelle Kimura                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Email:<br>mkimura9@hawaii.edu | Zip:<br>96789                         |

|                       |                     |                                       |
|-----------------------|---------------------|---------------------------------------|
| Representing:<br>Self | Position:<br>Oppose | Submitted:<br>Oct 21, 2026 @ 12:57 PM |
|-----------------------|---------------------|---------------------------------------|

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Michelle Kimura, and I am a resident of Honolulu County. I am writing in strong opposition to Bill 53 CD1, which I believe would further criminalize poverty and disproportionately harm some of the most vulnerable members of our community.

I recognize that abandoned shopping carts and obstructed sidewalks are legitimate concerns for our community. However, I do not believe that imposing fines of up to \$2,000 or jail sentences of up to 30 days on individuals experiencing homelessness is an appropriate or effective solution. These penalties do nothing to address the underlying circumstances that lead someone to rely on a shopping cart to carry their belongings in the first place.

For someone experiencing homelessness, a \$2,000 fine is simply not feasible. Rather than resolving the issue, these penalties risk creating a cycle of unpaid fines, warrants, arrests, and incarceration, further compounding the barriers that individuals already face in securing stable housing and rebuilding their lives.

Beyond the tremendous human cost, this approach also comes at a significant financial expense to our community. Incarceration in Hawai'i costs approximately \$307 per person per day, meaning a 30-day sentence would cost taxpayers more than \$9,200. I cannot help but think about how much more meaningful that investment could be if directed toward housing assistance, outreach, case management, access to essential documents and benefits, and other supportive services that address the root causes of homelessness.

According to the Department of Corrections Intake Services Center, at least 37% of individuals incarcerated in Hawai'i's jails are experiencing homelessness, with many cycling repeatedly through the system. Incarceration can further destabilize individuals by disrupting access to medications, personal belongings, identification, and the community resources they depend on. These are not insignificant setbacks, particularly for individuals who are already navigating tremendous challenges.

I am also deeply concerned about the provision allowing for the seizure of shopping carts and their contents. For someone living without stable housing, a shopping cart may hold nearly everything they own. Taking away those belongings without providing a meaningful alternative does not improve their circumstances; it only makes an already difficult situation more precarious.

I believe we have a responsibility to approach homelessness with compassion, dignity, and a commitment to meaningful, sustainable solutions. We can acknowledge the concerns of residents and businesses while also recognizing that criminalizing individuals for the circumstances of their poverty is neither just nor effective. Greater retailer accountability,

accessible storage options, and investments in housing and supportive services offer more constructive paths forward.

Ultimately, I hope we can choose policies that reflect the kind of community we want to be: one that does not further punish individuals for experiencing hardship, but instead works to create opportunities for stability, dignity, and a better future.

I respectfully urge the committee to vote no on Bill 53 CD1.

Mahalo for your time and consideration.

Respectfully,

Michelle Kimura

|               |                     |                         |
|---------------|---------------------|-------------------------|
| Name:         | Email:              | Zip:                    |
| Albert Jiang  | alberthwj@gmail.com | 96825                   |
| Representing: | Position:           | Submitted:              |
| Self          | Oppose              | Oct 21, 2026 @ 12:58 PM |

Testimony:

Aloha Chair and Members of the Public Safety Committee,

I am a third-year medical student at the John A. Burns School of Medicine and lifelong resident of Honolulu, writing to testify in opposition to Bill 53.

During my preclinical years, I served as a Thomas Square clinic manager for the H.O.M.E. Project, which is run by the medical school operates clinics throughout the week for people experiencing houselessness. Furthermore, H.O.M.E. remains an important part of our family medicine rotation during our clinical years, reflecting a fundamental lesson of our medical training: health cannot be separated from the conditions in which people live.

For someone living unsheltered, a shopping cart may be the only means of carrying clothing, food, medications, wound-care supplies, and other essential belongings. Bill 53 would criminalize possessing or using such a cart, impose fines of up to \$2,000 or 30 days of imprisonment, and authorize forfeiture of the cart. It risks punishing people for how they survive without addressing why they remain unhoused.

Even in the first months of my clinical rotations, I have seen how challenging it can be to manage chronic conditions such as diabetes and hypertension. For patients experiencing houselessness, these challenges are compounded by the daily struggle to secure food, maintain hygiene, and protect their belongings. Stolen possessions and conflicts with others can already disrupt access to medications and basic supplies. Confiscating a shopping cart and its contents can compound these hardships, stripping someone of clean clothing, wound-care supplies, or medications and making existing health problems even harder to manage.

The bill also risks compounding the cycle it purports to address. Fines that someone cannot pay and incarceration that disrupts access to medications, identification, personal belongings, and continuity of care do little to resolve the

underlying causes of repeated contact with the justice system. A policy can make a sidewalk appear clearer without making a person's circumstances safer or more stable.

Instead, Honolulu should redirect the public resources required to enforce this ordinance, including patrols, citations, court proceedings, and incarceration, toward solutions that address these problems at their source. Retailer cart-identification and retrieval programs can help businesses recover their property, while safe storage, street outreach, case management, healthcare access, and housing navigation can help people regain stability. We should address genuine sidewalk obstructions directly and proportionately, without criminalizing possession itself.

Public safety and the dignity of people experiencing houselessness are not competing goals. As a future physician, I believe meaningful public policy should reduce harm, preserve access to essential care, and address the conditions that perpetuate instability, not make those conditions harder to escape.

Please vote NO on Bill 53.

Mahalo for your consideration.

|                           |                              |                                       |
|---------------------------|------------------------------|---------------------------------------|
| Name:<br>Nicholas Chagnon | Email:<br>chagnon@hawaii.edu | Zip:<br>96821                         |
| Representing:<br>Self     | Position:<br>Oppose          | Submitted:<br>Oct 21, 2026 @ 01:21 PM |

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Nicholas Chagnon, and I live in Kuliouou Valley. I am also a criminologist at the University of Hawaii.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Sincerely,

Nicholas J. Chagnon, Ph.D

|                       |                            |                                       |
|-----------------------|----------------------------|---------------------------------------|
| Name:<br>Rayna Brown  | Email:<br>rbrown@hhhrc.org | Zip:<br>96701                         |
| Representing:<br>Self | Position:<br>Oppose        | Submitted:<br>Oct 21, 2026 @ 02:09 PM |

|                         |                                             |                                       |
|-------------------------|---------------------------------------------|---------------------------------------|
| Name:<br>Clifford Chang | Email:<br>cliffordchangconsulting@yahoo.com | Zip:<br>96821                         |
| Representing:<br>Self   | Position:<br>Oppose                         | Submitted:<br>Oct 21, 2026 @ 02:18 PM |

|                       |                               |                                       |
|-----------------------|-------------------------------|---------------------------------------|
| Name:<br>John Allison | Email:<br>johnalli@hawaii.edu | Zip:<br>96821                         |
| Representing:<br>Self | Position:<br>Oppose           | Submitted:<br>Oct 21, 2026 @ 02:43 PM |

Testimony:

I would like to strongly oppose this bill. The effect of this bill is to threaten the most vulnerable people in our City with further economic hardship and potential jail time. This measure will not only be ineffective but also will cost taxpayers far more by paying for jail time. It sides with corporations and big business over the welfare of our City's residents. Poverty is not a crime but rather a result of those same corporations squeezing working people out of housing and charging ever higher prices to pursue every last cent of profit possible. Our City should spend its time holding those corporations accountable rather than criminalizing their victims. For example, Walmart has the highest number of employees who need food security assistance. That's unconscionable, and this law further sides with corporations like Walmart over working people. Vote no on this measure, and instead hold those big business bullies accountable for their wage theft and grift.

|                                                          |                                       |                                       |
|----------------------------------------------------------|---------------------------------------|---------------------------------------|
| Name:<br>Lauren Zirbel                                   | Email:<br>LaurenZirbel@HawaiiFood.com | Zip:<br>96813                         |
| Representing:<br>Hawaii Food Industry Association (HFIA) | Position:<br>Support                  | Submitted:<br>Oct 21, 2026 @ 04:01 PM |

|                        |                                |                                       |
|------------------------|--------------------------------|---------------------------------------|
| Name:<br>Jocelyn Brody | Email:<br>josiebrody@gmail.com | Zip:<br>96744                         |
| Representing:<br>Self  | Position:<br>Oppose            | Submitted:<br>Oct 21, 2026 @ 06:10 PM |

Testimony:

I strongly oppose this bill, in the way it would criminalize poverty and specifically discriminate against houseless people. When people are struggling the most, why make it illegal for them to have what they need to be mobile? It doesn't make anyone more safe when you throw struggling people in jail or take away their only resources.

Name:

Lilian Maher

Email:

lilian.miwa@gmail.com

Zip:

96816

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 07:36 PM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Lilian Maher and I live in Honolulu.

I oppose Bill 53 CD1 because is a huge waste of money and resources, and is just plain mean. It shows a lack of both heart and common sense. Mahalo.

Name:

Danielle Thompson

Email:

Elleandmika@gmail.com

Zip:

96826-4873

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 10:26 PM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Danielle Thompson and I live in Moiliili.

I'm testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the

owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

Mahalo for your time.

Name:

Angie Knight

Email:

angela.g.knight@gmail.com

Zip:

96816

Representing:

Self

Position:

Oppose

Submitted:

Oct 21, 2026 @ 11:28 PM

Testimony:

I understand that stolen shopping carts are a concern and that theft is serious. However, this bill proposes an extreme solution to a longstanding issue. Making the consequence of stealing a shopping cart either \$2,000 or up to 30 days incarcerated does not address the root cause of the theft, nor is it a realistic way to curb behavior. Moreover, it goes against our County and State's shared correctional priority of rehabilitation.

If this bill aims to reduce the cost burden on business owners from stolen property, there are more direct ways to relieve that financial stress. If this bill aims to empower local law enforcement to confront homeless individuals in public spaces during public use hours, less aggressive options exist than these excessive fines. If the bill is meant as a tough-love approach for homeless individuals who fill shopping carts with their belongings to make it easier to move when enforcements come, then directly increase funding for homeless outreach and mental health services, rather than fine and move said individuals cyclically.

Bill 53(26) would do more harm than good. If implemented, it would further strain our local law enforcement, courts, and correctional facilities; the fines would likely go unpaid, costing taxpayers more for less access to emergency services while sending the message that poverty and housing status are something to be criminalized.

Name:

Marisa Pangilinan

Email:

marisapangilinan@gmail.com

Zip:

96822

Representing:

Self

Position:

Oppose

Submitted:

Oct 22, 2026 @ 05:27 AM

Testimony:

Aloha Chair and members of the Public Safety Committee,

My name is Marisa Pangilinan, and I live in Makiki.

I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first

place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result. The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.

Please vote no on Bill 53.

|               |                            |                         |
|---------------|----------------------------|-------------------------|
| Name:         | Email:                     | Zip:                    |
| Lindsay Roth  | wholemoontherapy@gmail.com | 96740                   |
| Representing: | Position:                  | Submitted:              |
| Self          | Oppose                     | Oct 22, 2026 @ 07:53 AM |

Testimony:

Aloha Chair and Councilmembers,

I am writing in strong opposition to Bill 53 CD1. As a licensed clinical social worker, I find it deeply troubling that we continue to criminalize poverty rather than address its root causes. Threatening our unhoused neighbors with \$2,000 fines and jail time for possessing shopping carts is cruel, counterproductive, and a misuse of public resources.

Incarceration does not create housing, stability, or safety. It only compounds the barriers already faced by our most vulnerable community members. We should be investing in affordable housing, accessible storage, outreach, and supportive services rather than punishing people for surviving without shelter.

I urge you to reject Bill 53 CD1 and pursue compassionate, evidence-based solutions.

Mahalo,

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                      |                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------|
| Lindsay Roth, LCSW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                      |                                       |
| Name:<br>Soon Kim                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Email:<br>soon1kim2@yahoo.com        | Zip:<br>96817                         |
| Representing:<br>Self                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Position:<br>Oppose                  | Submitted:<br>Oct 22, 2026 @ 09:03 AM |
| <p>Testimony:</p> <p>This is dehumanizing and a waste of money. I'm disappointed that Councilmember Waters introduced this.</p> <p>If someone had \$2,000.00 to pay the fine, they wouldn't be on the street.</p> <p>The cost to jail someone for 30 days is \$9,210. Where is that money coming from? Perhaps we could spend that money to improve the local infrastructure or to increase public services.</p> <p>We should cease the practice of using public funds to enrich private businesses. If our Councilmembers have a stake in these businesses, I think that's worth looking into.</p> |                                      |                                       |
| Name:<br>Isis Usborne                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Email:<br>isis@hapahi.org            | Zip:<br>96815                         |
| Representing:<br>Hawai'i Alliance for Progressive Action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Position:<br>Oppose                  | Submitted:<br>Oct 22, 2026 @ 09:07 AM |
| Name:<br>Trevor Abarzua                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Email:<br>tabarzua@waikikibid.org    | Zip:<br>96815                         |
| Representing:<br>Waikiki Improvement Association                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Position:<br>Support                 | Submitted:<br>Oct 22, 2026 @ 09:32 AM |
| Name:<br>Amanda Fernandes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Email:<br>mfernandes@acluhawaii.org  | Zip:<br>96822                         |
| Representing:<br>ACLU of Hawaii                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Position:<br>Oppose                  | Submitted:<br>Oct 22, 2026 @ 12:37 PM |
| Name:<br>Phoebe-Kate Bancaco                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Email:<br>phoebebancaco@gmail.com    | Zip:<br>96793                         |
| Representing:<br>Self                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Position:<br>Oppose                  | Submitted:<br>Oct 22, 2026 @ 12:45 PM |
| Name:<br>Kaleigh DeSimone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Email:<br>kaleigh.desimone@gmail.com | Zip:<br>96815                         |
| Representing:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Position:                            | Submitted:                            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |        |                         |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------------------|
| Self                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Oppose | Oct 22, 2026 @ 12:47 PM |
| <p>Testimony:</p> <p>Aloha Chair and members of the Public Safety Committee,</p> <p>My name is Kaleigh DeSimone. I I'm testifying in strong opposition to Bill 53 CD1. because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.</p> <p>A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.</p> <p>Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.</p> <p>According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.</p> <p>Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.</p> <p>The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.</p> <p>The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.</p> <p>Blocked sidewalks and lost carts are problems. Solve them with retailer accountability, such as marking and locking carts, and with storage and housing.</p> <p>Please vote no on Bill 53.</p> <p>Mahalo for your time.</p> |        |                         |



## **RETAIL MERCHANTS OF HAWAI'I**

### **Testimony in Support of Bill 53 (2026), Proposed CD1 — Relating to Shopping Carts**

Honolulu City Council  
Committee on Public Safety & Economy  
Thursday, October 22, 2026  
1:00 p.m.

Aloha Chair and Members of the Committee:

My name is David B. Erdman, Interim President & CEO of the Retail Merchants of Hawai'i (RMH). I am a Honolulu resident in ZIP Code 96814, Council District V, and the RMH office is located at 3610 Waialae Avenue, Honolulu, Hawai'i 96816, in Kaimukī, Council District IV.

RMH is a trade association representing retailers, shopping centers, and allied members, including logistics partners and professional service organizations.

Retail Merchants of Hawai'i respectfully submits updated testimony in support of Bill 53 (2026), Relating to Shopping Carts, including the proposed CD1 amendments.

#### **Shopping carts are valuable business property:**

Shopping carts and trolleys are purchased and provided by retailers for the convenience and service of their customers. They represent a significant business investment and remain the property of the retailer.

When a cart is removed from a retailer's premises without authorization, the retailer has not abandoned its property. The retailer has lost something it purchased and needs to serve its customers.

Commercial shopping carts vary in price depending on their size, construction, capacity, and features. Some carts cost approximately \$250, while larger or more specialized commercial carts can cost \$500 to \$1,000 or more. In Hawai'i, freight, shipping, applicable tariffs, delivery, and transportation to individual retail locations further increase the total replacement cost. Every cart represents a significant investment by the retailer.

One of our RMH members whose customers regularly utilize shopping carts and trolleys previously made the point clearly in legislative testimony: businesses do not voluntarily abandon this property. When carts are taken, the retailer has already suffered a financial loss.

**The cost to consumers/customers:**

Every stolen or missing cart increases a retailer's cost of doing business. The business must absorb the loss, replace the cart, repair it if damaged, or operate with fewer carts available for customers.

These additional expenses affect a retailer's bottom line and can eventually contribute to higher costs for consumers. Fewer usable carts also create inconvenience, particularly for kūpuna, families with young children, persons with mobility limitations, and customers making larger purchases.

It is important that retailers who have already been victimized through the unauthorized loss of their property are not effectively penalized a second time simply because that property is subsequently found elsewhere.

**Public safety, accessibility, and community impact are equally important:**

Shopping carts removed from retail premises and subsequently possessed, used, or abandoned in public areas can obstruct sidewalks, streets, bus stops, parks, and waterways.

These conditions create hazards for pedestrians, persons with disabilities, and the broader community. RMH recognizes and supports the City's efforts to address these legitimate public-safety, accessibility, environmental, and quality-of-life concerns.

**RMH supports the proposed CD1 amendments:**

We appreciate the Council's efforts to clarify the ordinance and recognize legitimate circumstances in which identified shopping carts may be used away from retail premises with written authorization.

We also appreciate the provision allowing retailers 180 days to comply with the shopping-cart identification requirements before enforcement begins under the measure.

**RMH suggested technical clarifications:**

RMH respectfully offers two points for the Committee's consideration as the measure advances.

First, we previously suggested clarifying the applicable language to include premises in which the owner has "a legal interest in or legal right to use." This would help ensure the ordinance accommodates retailers operating under leases, licenses, shared-use arrangements, or other lawful rights to use property.

Second, the proposed CD1 summary describes written authorization from the shopping-cart owner, while the proposed ordinance language refers to written authorization from the owner of the premises. We respectfully suggest reviewing these provisions for consistency, so the intended authorization is clear.

These suggestions are intended to strengthen implementation and do not change RMH's support for the legislation.

**RMH is prepared to work with the city on practical solutions:**

We welcome cooperation with the City Council, the City and County of Honolulu, law enforcement, appropriate agencies, and community partners on prevention, signage, identification, notification, retrieval, and reasonable approaches to recovering and returning shopping carts.

RMH would also be willing to work with the City and our members on clear, consistent signage informing customers that shopping carts are private property and may not be removed from retail premises without authorization.

Our objective should be a workable system that discourages unauthorized removal, protects public safety, respects private property, facilitates the return of carts to their rightful owners, and avoids unnecessarily burdening businesses that have already suffered a loss.

**Ultimately, the interests of retailers, the city, and the public are closely aligned:**

Retailers want their carts returned in good working condition, where they belong — at their stores, available for customers to use.

They do not want their property improperly possessed, used, damaged, destroyed, or abandoned on sidewalks, streets, at bus stops, in parks, or in waterways.

Retail Merchants of Hawai'i respectfully supports Bill 53 (2026) and the proposed CD1 amendments, with the technical clarifications noted above, and looks forward to working with the Council on practical implementation.

Mahalo for the opportunity to submit testimony.

Respectfully submitted,

David B. Erdman  
Interim President & CEO  
Retail Merchants of Hawai'i

JON N. IKENAGA  
PUBLIC DEFENDER

**DEFENDER COUNCIL**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

**HONOLULU OFFICE**  
1130 NORTH NIMITZ HIGHWAY  
SUITE A-254  
HONOLULU, HAWAII 96817

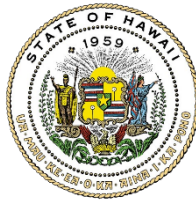
**APPELLATE DIVISION**  
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**DISTRICT COURT DIVISION**  
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**FAMILY COURT DIVISION**  
TEL. No. (808) 586-2300

**FELONY DIVISION**  
TEL. No. (808) 586-2200

**FACSIMILE**  
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STATE OF HAWAII  
**OFFICE OF THE PUBLIC DEFENDER**

HAYLEY Y. C. CHENG  
FIRST DEPUTY PUBLIC DEFENDER

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FAX No. (808) 984-5022

**October 20, 2026**

Councilmember Augie Tulba, Chair  
Councilmember Esther Kia'aina, Vice-Chair  
Members of the Honolulu City Council

**Re: Bill 53, Proposed CD1 – Relating to Shopping Carts**

Chair Tulba, Vice-Chair Kia'aina, and Members of the Council,

The Office of the Public Defender respectfully submits testimony in **strong opposition to Bill 53 (2026), Proposed CD1**, which seeks to criminalize the possession and use of shopping carts throughout the City and County of Honolulu, subject to limited exceptions.

The Office of the Public Defender is a statewide agency constitutionally and statutorily charged with providing legal representation to individuals who cannot afford an attorney and facing criminal prosecution. Our attorneys represent thousands of individuals each year throughout Hawai'i, including many of our community's most vulnerable members.

We have a unique perspective on the intersection of poverty, homelessness, mental illness, substance use disorders, and the criminal justice system. We represent those whose involvement with the criminal system is intertwined with the challenges of surviving without stable housing, financial resources, or access to necessary services.

**We see firsthand the consequences of criminalizing conduct that is often a direct reflection of poverty and homelessness.** We also see how even minor criminal charges create significant obstacles for those already struggling to obtain housing, employment, treatment, and stability. It is from this perspective and based upon our experience representing individuals who would be directly impacted by this legislation, that we offer our strong opposition.

**Bill 53 Criminalizes Conduct Associated with Homelessness Rather Than Conduct That Actually Threatens Public Safety.**

Our Office recognizes that abandoned shopping carts can create legitimate safety concerns the City's responsibility to maintain safe, accessible sidewalks, parks, roadways, and other public spaces. However, Bill 53 goes far beyond addressing these concerns.

This ordinance does not require that a shopping cart be abandoned, obstruct a sidewalk, create a hazard, or otherwise threaten public safety. Instead, it broadly criminalizes the mere possession or use of a shopping cart, even when the individual has caused no harm.

Our attorneys represent individuals who live without the basic security that most of us take for granted: a home in which to store their belongings, a vehicle to transport their possessions, or even a safe place to leave essential items while attending appointments, seeking employment, or accessing services. For these individuals, a shopping cart may contain their clothing, food, water, medication, identification documents, and other necessities. It may hold virtually everything they possess.

The proposed ordinance makes no meaningful distinction between an abandoned shopping cart creating a genuine public safety hazard and a shopping cart being used by an unhoused individual to transport personal belongings without obstructing or endangering anyone.

**In effect, the bill would make it a crime for some of the poorest members of our community to use one of the few practical means available to transport their possessions.** From our perspective, this is particularly troubling. The criminal justice system should not be used to punish individuals simply for the compromised circumstances in which they live.

### **The Proposed Penalties Are Excessive, Particularly for Those Most Likely to Be Prosecuted.**

Bill 53 authorizes a fine up to \$2,000, imprisonment for up to 30 days, or both, for each violation. The bill also mandates forfeiture of the shopping cart and treats each cart in an individual's possession as a separate violation. As public defenders, we are particularly concerned about the consequences of imposing such severe penalties for conduct that does not require any showing of actual harm.

Our Office regularly represents individuals who lack resources to pay even modest fines and fees. For an individual experiencing homelessness, a \$2,000 fine is not just burdensome; it may be entirely beyond their ability to pay. Imposing substantial financial penalties on those who already lack resources to meet their most basic needs does nothing to promote public safety. Instead, it creates additional financial hardship and potentially further complicates their efforts to achieve stability.

The possibility of 30 days incarceration is equally concerning. We understand the very real consequences of even a short period of incarceration. For those already living on the margins, incarceration can disrupt access to medical care, treatment programs, employment opportunities, social services, and efforts to secure housing. We respectfully question whether incarceration for simply possessing a shopping cart is an appropriate or proportionate use of the criminal justice system.

### **Our Experience Demonstrates That Criminalization Often Compounds the Very Problems It Purports to Address.**

As public defenders, we see how individuals experiencing homelessness can become trapped in a cycle of repeated contact with the criminal justice system. For many of our

clients, an arrest or criminal charge does not occur in isolation. It becomes one more challenge layered upon existing struggles with poverty, housing instability, mental illness, substance use disorders, and limited access to services.

A criminal case requires court appearances, compliance with court orders, and the ability to navigate a system that can be extraordinarily difficult for those who lack stable housing, reliable transportation, or consistent access to communication. Failure to appear in court can result in additional legal consequences, including the possibility of an arrest warrant. What began as a minor offense can become a prolonged and complicated involvement with the criminal justice system.

We have seen how these circumstances undermine an individual's efforts to move forward. Rather than helping someone obtain housing, employment, or treatment, criminal prosecution can create additional barriers to achieving those goals. Bill 53 risks perpetuating this cycle by creating yet another criminal offense that will foreseeably and disproportionately impact individuals experiencing homelessness.

**The reality is that arresting, prosecuting, fining, or incarcerating an individual for possessing a shopping cart will not make that individual any less homeless.** It will not provide housing, treatment, employment, or a safe place to store their belongings. It will simply introduce another obstacle into an already difficult situation.

**The Mandatory Forfeiture Provision Is Particularly Troubling for Individuals Who Have Very Little to Begin With.**

The proposed ordinance requires forfeiture of the shopping cart upon a violation, regardless of whether the cart was abandoned, obstructed public access, or created an actual danger. For an individual experiencing homelessness, the loss of a shopping cart may have consequences far beyond the loss of the cart itself. The ordinance specifically mandates forfeiture of the cart but it does not expressly establish safeguards for the preservation, handling, or retrieval of personal property contained within it.

Our Office is concerned about the practical consequences of enforcement, particularly where an individual has no alternative means of transporting or securing their possessions. We also question the necessity of mandatory forfeiture in circumstances where no actual harm or public safety concern has been established.

**The Bill Is Unnecessarily Broad and Risks Criminalizing Otherwise Innocent Conduct.**

The proposed ordinance is not limited to stolen or abandoned shopping carts. Its definition extends to certain metal or plastic handcars on three or more wheels, and its prohibition is not restricted to public property. Consequently, the ordinance potentially encompasses individuals using personally owned carts for legitimate and harmless purposes.

Although the proposed CD1 includes an affirmative defense involving written authorization, this provision does not adequately resolve the concerns created by the breadth of the prohibition. From the perspective of an agency whose attorneys must defend individuals charged with criminal offenses, this distinction is important. An affirmative defense does not prevent an individual from being cited, arrested, or

prosecuted. Instead, it requires the accused to navigate the criminal justice system and establish that their conduct falls within an exception.

For individuals experiencing homelessness, requiring written documentation to justify the possession or use of a shopping cart may present an additional and unnecessary barrier. The City should not create a criminal offense so broadly defined that otherwise innocent conduct must be justified through an affirmative defense.

**The Bill Would Place Additional Demands on an Already Burdened Criminal System.**

Our Office is concerned about the practical consequences of creating an additional criminal offense. Every new criminal prohibition carries consequences beyond the language of the ordinance itself. Enforcement involves the use of law enforcement, citations, arrests, criminal prosecutions, court appearances, defense counsel, and potentially incarceration.

As the agency responsible for representing indigent defendants, we are acutely aware of the demands placed upon the criminal justice system and the limited resources available to address them. Our attorneys already handle substantial caseloads involving serious criminal matters and individuals facing significant consequences to their liberty. We respectfully question the wisdom of dedicating additional law enforcement, prosecutorial, judicial, correctional, and public defense resources to prosecuting individuals for possessing shopping carts when the conduct itself may pose no actual threat to public safety. These resources could instead be directed toward addressing genuine public safety concerns and supporting measures that more effectively address the underlying circumstances contributing to homelessness.

**Public Safety Can Be Protected Without Further Criminalizing Poverty and Homelessness.**

Our Office does not suggest that the City should ignore legitimate problems associated with abandoned shopping carts or obstructions to public access. We recognize the importance of maintaining accessible sidewalks, protecting individuals with disabilities, and ensuring that parks, roadways, and other public spaces remain safe for everyone. However, these legitimate objectives can be pursued through measures directed at the actual conduct creating the problem.

The City should consider approaches that distinguish between abandoned carts, carts creating genuine safety hazards, and carts being used by individuals to transport personal belongings. Improved cart retrieval programs, coordination with retailers, targeted enforcement of existing obstruction laws, and increased access to secure storage and supportive services are among the alternatives that warrant consideration.

The distinction is critical. **There is a fundamental difference between regulating conduct that creates a genuine public safety hazard and criminalizing conduct that is often a consequence of having no home.** Our Office's experience representing indigent individuals has repeatedly demonstrated that criminal prosecution is not a solution to poverty or homelessness. We urge the Council to consider not only the stated objectives of this measure, but also its foreseeable consequences for the individuals who will be most directly affected by its enforcement.

The Office of the Public Defender is committed to the fair and effective administration of justice. We believe that our community is best served when criminal penalties are reserved for conduct that genuinely warrants the intervention of the criminal justice system.

**Bill 53 fails to make that critical distinction. Instead, it risks imposing substantial criminal penalties upon individuals for conduct that may be entirely harmless and that is closely associated with the daily realities of homelessness.**

For these reasons, the Office of the Public Defender **strongly opposes Bill 53 (2026), Proposed CD1**, and respectfully urges the Council not to advance this measure.

Thank you for the opportunity to submit testimony and for your consideration of our concerns.

Respectfully submitted,  
**OFFICE OF THE PUBLIC DEFENDER**



**Hayley Y.C. Cheng**  
First Deputy Public Defender

Direct Line: (808) 586-2208

Email: [hayley.y.cheng@hawaii.gov](mailto:hayley.y.cheng@hawaii.gov)



Aloha Chair and members of the Public Safety Committee,

**I'm testifying in strong opposition to Bill 53 CD1** because it criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place.

A person living outside cannot pay a \$2,000 fine. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Blocked sidewalks and lost carts are problems most effectively solved with retailer accountability, such as marking and locking carts, and with storage and housing. **Please vote no on Bill 53.**

Mahalo,

Liam Chinn



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## TESTIMONY IN OPPOSITION TO BILL 53, CD1

Honolulu City Council, Committee on Public Safety and Economy

Thursday, October 22, 2026, 1:00 p.m.

Aloha Chair and Members of the Committee,

I am Lorenn Walker, Executive Director of Hawai'i Friends of Restorative Justice (HFRJ), which has worked with people involved with the criminal legal system since 1980. For more than two decades we have provided reentry planning circles for people leaving incarceration. We strongly oppose Bill 53, CD1.

**This bill punishes poverty, not harm.** A \$2,000 fine or 30 days in jail for possessing a shopping cart mainly affects unhoused people. Someone living outside cannot pay \$2,000. An unpaid fine becomes a warrant, the warrant becomes an arrest, and the arrest becomes jail.

**Jail makes homelessness worse.** In our reentry work, we see what happens when people leave custody. They come out without IDs, medications, belongings, or a place to go. These are what a person needs to get housed. Each jail stay sets them further back, and many return again and again. The state Department of Corrections Intake Services Center reported that at least 37 percent of people in Hawai'i's jails are homeless.

**It is a poor use of public money.** At about \$307 a day, a 30-day sentence costs taxpayers roughly \$9,200. That same money could pay for outreach, case management, storage for belongings, help getting IDs and benefits, and move-in assistance. Those investments can end someone's homelessness. Jail cannot.

**The bill also takes everything in the cart.** For many unhoused people, a cart holds all they own: documents, clothes, medicine, tools for work. CD1's only defense requires written permission from the cart's owner, which no one living on the street can realistically get.

Blocked sidewalks and lost carts are real problems. They have practical solutions: retailer accountability through marked and locking carts, public storage for belongings, and housing. The research is consistent. Criminalizing homelessness does not reduce it.

Both the Office of the Public Defender and the Prosecuting Attorney raised concerns about this bill. When defense and prosecution agree a penalty is disproportionate, the Council should listen.

Please vote no on Bill 53, CD1. Mahalo for your work and the opportunity to testify.

**Lorenn Walker, JD, MPH**

Executive Director, Hawai'i Friends of Restorative Justice



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October 21, 2026

Honolulu City Council  
Augie Tulba, Chair  
Esther Kiaʻāina, Vice Chair  
Committee Members on Public Safety & Economy  
Thursday, October 22, 2026

**Re: Support for Bill 53 (2026), CD1—Relating to Shopping Carts**

Aloha Chair Tulba, Vice Chair Kiaʻāina and Members of the Committee,

ABC Stores supports Bill 53 (2026), CD1, and joins the Retail Merchants of Hawaiʻi (RMH) in supporting its updated testimony. We agree that the measure can protect public health, safety, accessibility, and quality of life while respecting retailers' private property and recognizing legitimate authorized uses.

Shopping carts removed from their owners' premises can obstruct sidewalks, streets, bus stops, parks, and waterways. These obstructions create hazards for pedestrians, people with disabilities, motorists, transit users, park users, and the broader community. The proposed ordinance offers a clear framework for addressing these concerns while recognizing legitimate authorized uses.

As residents, we see abandoned carts obstruct sidewalks, curb ramps, bus stops, streets, parks, and waterways. These conditions impede access for kupuna, families with strollers, and people with disabilities; create traffic and pedestrian hazards; contribute to litter and visual blight; and reduce the safe and comfortable use of shared public spaces. Carts left in drainage channels or waterways may also obstruct water flow and increase community maintenance concerns.

We also support the proposed CD1 amendments, which:

- Combine proposed ROH § 13-\_.3(a)(1) and (2) for clarity and remove the former reference to offering a shopping cart for another person's use;
- Add an affirmative defense when a person possesses, uses, or offers for use an identified shopping cart away from the owner's premises with written authorization from the owner or the owner's authorized representative;
- Delete the proposed severability provision because ROH § 1-6.1 already applies throughout the Revised Ordinances of Honolulu 2021; and
- Make miscellaneous technical and nonsubstantive amendments.

For these reasons, ABC Stores respectfully support and urge the Council to pass Bill 53 (2026), CD1, with the technical clarifications described above. Mahalo for the opportunity to provide testimony and for your consideration.

Mahalo,

John Mark Mageo  
Employee Relations and Government Affairs Manager

**Kalei K-aloha**

‘EkoLu Mea Nui

Punalu‘u, O‘ahu

brytni@ekolumeanui.org

**DATE:** October 21, 2026

**TO:** Chair [Chairperson’s Name]

Vice Chair [Vice Chairperson’s Name]

Members of the [Committee Name]

**FROM:** Kalei K-aloha, ‘EkoLu Mea Nui

**RE: OPPOSITION TO Bill 53 CD1**

Aloha Chair and members of the Public Safety Committee,

**I am testifying in strong opposition to Bill 53 CD1.** because it criminalizes poverty. Bill 53 CD1 targets people experiencing homelessness in practice, whether or not the bill explicitly identifies them. We all know who is most likely to be carrying their belongings in a shopping cart throughout the day: people who are houseless and have nowhere to safely store their possessions. The average person does not rely on a shopping cart to transport their belongings from place to place. Fining someone up to \$2,000 or putting them in jail for up to 30 days over a shopping cart does not address houseless crisis. It punishes people for the circumstances they are living in. We cannot pretend this measure is simply about shopping carts when we know who will bear the greatest burden of its enforcement.

**Hawai‘i needs solutions that help people move forward, not policies that punish them for being poor.** Our response to houselessness should be guided by public health, dignity, accountability, and practical solutions that improve outcomes for individuals and our communities.

For these reasons, I respectfully urge the committee to oppose Bill 53, CD1.

Mahalo for your time and consideration,

Kalei K-aloha

‘EkoLu Mea Nui





**Carrie Ann Shirota**  
**Attorney at Law**

**AGENDA REGULAR MEETING CITY COUNCIL CHAMBER  
COMMITTEE ON PUBLIC SAFETY & ECONOMY  
THURSDAY, OCTOBER 22, 2026 1:00 P.M.**

**Opposition: Bill 53 (2026) RELATING TO SHOPPING CARTS.**

Dear Chair Tulba, Vice Chair Kia'āina, and Members of the Public Safety Committee:

My name is Carrie Ann Shirota, and I am an attorney and mother, raised on Maui, but currently living in Honolulu. I am saddened that our Council is even considering this bill and am writing to submit strong opposition to **Bill 53 Relating to Shopping Carts**.

**Bill 53 is a cruel, costly, and fundamentally ineffective measure that punishes individuals for experiencing homelessness rather than addressing the root causes of housing insecurity.**

Subjecting unsheltered community members to fines of up to \$2,000 or up to 30 days of imprisonment for possessing a shopping cart does nothing to connect individuals to shelter, care, or permanent housing. **It merely aligns with [President Trump's Executive Order](#) to address homelessness toward punitive approaches that prioritize jail, forced treatment and institutionalization over evidence-based approaches that provide housing and services.**

Imposing a \$2,000 fine on an individual living without income or limited income is draconian.

Incarcerating (and warehousing) an individual in Hawai'i costs taxpayers approximately \$312 per day. A single 30-day jail sentence incurs a public expense of roughly \$9,360 for a minor, non-violent infraction.

Diverting those resources toward penal sanctions creates a costly, revolving door into the criminal justice system without resolving public space and environmental concerns. Instead, we should direct our tax payer resources into evidence based solutions - such

as supportive housing, alternative crisis response systems, intensive case management, identification assistance, temporary storage options, and treatment.

Data across Hawai'i demonstrates that **Native Hawaiians are disproportionately affected by homelessness within their own ancestral homeland**. If enacted, this measure will disparately criminalize Kanaka Maoli. This is beyond shameful.

Criminalizing survival behaviors further destabilizes individuals by confiscating essential medication, identification documents, and personal possessions needed to qualify for social services and housing placement.

Empirical research consistently demonstrates that criminalizing homelessness exacerbates systemic poverty and impedes long-term resolution efforts. **Bill 53 threatens to burden scarce budgets and exacerbate overcrowding at OCCC jail while offering zero constructive pathways out of homelessness.**

Furthermore, the enforcement mechanisms in CD1—including cart forfeiture and defense conditions requiring formal written permission from commercial owners—impose unrealistic burdens on unsheltered individuals while failing to hold property owners accountable for cart retention systems.

Effective solutions to public space maintenance require proactive measures. This includes mandatory retailer cart-locking technology, creating safe parking space programs, personal property storage facilities, and expanded investments in emergency, transitional, affordable housing and supportive care. ***In short, we need to provide housing, not handcuffs and high fines!***

I strongly urge the Committee to reject Bill 53 CD1 and prioritize evidence-based, compassionate policies that foster community safety and long-term stability for all residents, especially our most vulnerable neighbors. Mahalo for your consideration.

Sincerely,

***Carrie Ann Shirota***

Carrie Ann Shirota, Esq.  
Honolulu, Hawai'i 96813

Aloha Chair Tulba, Vice Chair Kia'aina, and Committee Members:

I reside in Aliamanu (District VII) and work in Kaka'ako (District VI). I'm testifying in strong opposition to Bill 53, CD1, because it further criminalizes unhoused persons, who are already subject to routine enforcement sweeps that substantially disrupt their already precarious situation. As noted by [\*Homelessness is a Housing Problem: How Structural Factors Explain U.S. Patterns\*](#) (2022), attributable to a lack of subsidized safe and stable housing opportunities. The lack of such exacerbates inadequate access to sustained medical care, which is a scarce resource regardless of insurance status.

The approach of this bill hearkens back to the [discredited "broken windows" theory of policing forwarded by sociologists James Q. Wilson and George Kelling four and half decades ago](#). This bill also appears to be aligned with the current nationwide advocacy efforts of the Cicero Institute, [a Texas-based organization founded by billionaire Joe Lonsdale that seeks coercive treatment, compulsory labor, and placement in detention camps](#). Further, this bill's approach is contrary to the Law of the Splintered Paddle contained in [Article IX, Section 10, of state constitution](#) and the Aloha Spirit Law ([HRS Section 5-7.5](#)).

The potential for \$2,000 fine is excessively punitive. An unpaid fine becomes a warrant that can lead to arrest and incarceration. Overall, it costs \$307 a day to incarcerate someone in Hawaii. Thirty days costs taxpayers about \$9,200, for a cart-related offense. Notably, many of our unhoused neighbors are unable to offer even \$10 in bail money.

\$9,200 in expenditures outside of the correctional context can provide a range of housing and care services, including outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

The short of it: criminalizing homelessness does not reduce homelessness. This bill provides yet another basis to further traumatize our island's most vulnerable residents.

Mahalo for the opportunity to provide testimony.

*Nikos Leverenz*

Chair and Members of the Council,

My name is Rayna Brown and I am testifying in strong opposition to Bill 53 CD1 because it criminalizes poverty rather than addressing the root causes of homelessness.

Fining a houseless person up to \$2,000 or sentencing them to up to 30 days in jail over a shopping cart will not provide housing, increase access to services, or address why someone needs a cart in the first place.

A person living on the streets cannot realistically afford a \$2,000 fine. That fine can lead to a warrant, an arrest, and ultimately jail. But jail is not a solution to homelessness. It costs taxpayers approximately \$307 per day to incarcerate someone in Hawaii. A 30-day sentence costs approximately \$9,200—for a cart-related offense.

Imagine what that \$9,200 could accomplish if we invested it in helping a person get off the streets instead of putting them behind bars. That money could support outreach, case management, safe storage for personal belongings, assistance obtaining identification and benefits, and move-in costs for housing. These are investments that can help end homelessness instead of creating a cycle of incarceration that costs taxpayers' money repeatedly.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in Hawaii's jails are homeless, and the actual percentage may be higher. Many people cycle through the jail system multiple times a year. Incarceration can also separate people from their identification, medications, and personal belongings, the very things they need to access services and secure housing.

Bill 53 CD1 would also allow a person's cart and everything inside it to be seized. The limited defense requiring written permission from the cart's owner is not a realistic safeguard for someone living on the streets who may have no practical way to obtain that documentation.

The research is clear: criminalizing homelessness does not solve homelessness. Fines, arrests, incarceration, and the loss of essential belongings make it even harder for people to stabilize their lives and secure housing.

Yes, blocked sidewalks and abandoned shopping carts can create legitimate concerns for our communities. But we should address those concerns through retailer accountability, such as marking and securing shopping carts, along with accessible storage, outreach, supportive services, and housing—not by punishing people for being poor and unhoused.

We must ask ourselves: Do we want to spend thousands of taxpayer dollars on cycling people through jail, or do we want to invest that money in solutions that help people regain stability and dignity?

**Please vote NO on Bill 53 CD1.** Hawaii needs solutions that address homelessness, not policies that punish people for experiencing it.

Mahalo for your time and consideration.

Honolulu City Council Committee on Public Safety and Economy  
Thursday, October 22, 2026; 1:00pm

October 21, 2026

Aloha Chair and members of the Committee on Public Safety and Economy:

I am Clifford Chang, testifying today as an individual, a Board of Directors member of the Hawai'i Health and Harm Reduction Center (HHHRC) and a Policy Committee member of the Hawai'i Public Health Institute, and live in District 4.

I'm testifying in strong opposition to Bill 53 CD1 RELATING TO SHOPPING CARTS. I am all in favor of effective and supportive ways to help Oahu's homeless people and reduce their numbers by finding them housing. However, Bill 53 CD1 simply criminalizes poverty. Fining a homeless person up to \$2,000 or jailing them for up to 30 days over a shopping cart will not house a person or address why someone has a cart in the first place. It simply penalizes their homeless situation.

Absolutely people living on the streets are a huge problem. Blocked sidewalks and lost carts are parts of this problem that affect all of us. But of the many actions needed to address and solve Oahu's homeless situation, none involve criminalizing the people who are homeless and living on the street. Solve the use of shopping carts by the homeless with retailer accountability, such as marking and locking carts, and with storage and housing.

A person living outside cannot pay a \$2,000 fine for using a shopping cart, nor should they. That fine becomes a warrant, then an arrest, then jail. And jail is not a solution. It costs \$307 a day to incarcerate someone in Hawai'i. A 30-day sentence costs taxpayers about \$9,200, for a cart-related offense.

Imagine what \$9,200 could do for a person with a cart if we spent it on housing and services instead of a cell. That money could fund outreach, case management, a place to store belongings, help securing ID and benefits, and move-in assistance. Those are investments that can end a person's homelessness, not a bill we pay again each time they return to jail.

According to the Department of Corrections Intake Services Center, at least 37 percent of people in jail in Hawai'i are homeless, and the real number is likely higher. Nearly all of them come back multiple times a year.

Jail also takes people's IDs, medications, and belongings, which are exactly what they need to get housed. In short, this bill would send more of our houseless residents to jail at an enormous financial and human cost, for no lasting result.

The bill would also seize a person's cart and everything in it. CD1's only defense requires written permission from the owner, which no one living on the street can realistically obtain.

The research is clear: criminalizing homelessness does not reduce homelessness. Ticketing, jailing, and seizing belongings make it harder for people to get housed.

Please vote no on Bill 53 CD1. In my mind it is simply a bad way of trying to address our homeless situation.

Aloha,  
Clifford Chang, MPH



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**Executive Officers**

**Jayson Watts**, Mahi Pono, *Chair*  
**Jill Tamura**, Tamura Super Market, *Vice Chair*  
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**Toby Taniguchi**, KTA Superstores, *Advisor*  
**Joe Carter**, Coca-Cola Bottling of Hawaii, Odom, *Advisor*  
**Gary Okimoto**, Safeway, *Advisor*  
**Kit Okimoto**, Okimoto Corp., *Immediate Past Chair*

TO: Honolulu City Council

FROM: HAWAII FOOD INDUSTRY ASSOCIATION

Lauren Zirbel, Executive Director

DATE: October 22, 2026

TIME: 1pm

RE: Relating to Bill 53 2026

Position: Support

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, manufacturers and distributors of food and beverage related products in the State of Hawaii.

Shopping cart theft and abandonment is a real and ongoing issue for grocery stores and other retailers in Hawai'i. When carts are removed from store property, retailers bear the cost of replacing them, locating and recovering abandoned carts, and dedicating staff and resources to managing the problem.

Those costs ultimately become part of the overall cost of doing business in Hawai'i. At a time when retailers and consumers are already dealing with high operating and food costs, unnecessary losses like shopping cart theft hurt everyone.

We support efforts that encourage people to return carts and that appropriately address individuals who repeatedly remove or abandon carts rather than placing the entire burden of the problem on retailers.



Aloha e Councilmembers,

My name is Isis Patiño Fernandez Usborne, I am a Ho‘olaulā Kaiāulu, or community organizer, with the Hawai‘i Alliance for Progressive Action. We are a nonprofit whose mission is to catalyze community empowerment and systemic change towards valuing people and ‘āina ahead of corporate profits.

While this bill claims to address a “public health” threat of shopping carts blocking sidewalks, it would disproportionately and cruelly punish houseless, elderly, and disabled residents across O‘ahu. Why can’t we address poverty, accessibility, stream health, and safety by providing storage to houseless residents, transportation and delivery support for essential goods, regular clean ups, and other measures that nurture rather than punish people to address this issue?

As others have stated, this measure is morally wrong as well as fiscally irresponsible.

We urge you to OPPOSE this resolution.

Me ke aloha,

**Isis "Izzy" Usborne** (*they/them*)

Part-time Ho‘olaulā Kaiāulu | [HAPA](#)

[isis@hapahi.org](mailto:isis@hapahi.org)

October 22, 2026

Aloha Chair Waters and Members of the Honolulu City Council:

On behalf of the Waikiki Improvement Association, I am submitting testimony in strong support of Bill 53 (2026), which regulates the unauthorized possession, use, and abandonment of shopping carts.

Abandoned and unlawfully removed shopping carts are more than an inconvenience or visual concern. They can create serious public safety, accessibility, environmental, and quality-of-life problems. In a dense, pedestrian-oriented district like Waikiki, a shopping cart left across a sidewalk, bus stop, park pathway, or other public space can prevent people from safely using that area. These obstructions are especially hazardous for kupuna, people with disabilities, wheelchair users, families with strollers, and pedestrians who may be forced into the roadway to get around them.

Shopping carts left in public spaces can also become collection points for additional trash and debris. When carts are discarded in streams, drainage canals, or other waterways, they can obstruct water flow, contribute to flooding risks, and create unnecessary environmental and cleanup costs.

Shopping carts are also valuable private property belonging to local businesses. Retailers purchase and maintain these carts for their customers. When carts are removed without authorization, businesses must absorb the cost of recovering or replacing them. Those costs can ultimately affect consumers, while the City and taxpayers are left with the expense of collecting carts abandoned in public spaces.

Bill 53 will provide the City with an important tool to address a longstanding problem, protect pedestrian access, support local businesses, reduce environmental hazards, and preserve the safety and usability of our public spaces.

We respectfully urge the Council to pass Bill 53.

Mahalo for the opportunity to testify.

Trevor Abarzua  
President and Chief Executive Officer  
Waikiki Improvement Association





**Committee:** Public Safety & Economy  
**Hearing Date/Time:** Thursday, October 22, 2026 at 1:00pm  
**Place:** City Council Chambers  
**Re:** **Testimony of the ACLU of Hawai'i in OPPOSITION to Bill 53, Relating to Shopping Carts**

Dear Chair Tulba, Vice Chair Kia'aina, and Committee Members:

The ACLU of Hawai'i opposes Bill 53, which criminalizes the possession of a shopping cart without the owner's written authorization, and carries penalties of a \$2,000 fine and up to 30 days in jail. This measure is unnecessary, cruel, and singles out one kind of property for special enforcement and resources, wasting taxpayer money and diverting line officers from more serious public safety efforts. The increasing attempts to criminalize the activity and status of houseless individuals speak to deep structural issues in our state.

**Bill 53's harsh penalties and strict liability raise serious constitutional concerns over proportionality, fair notice, and vagueness.**

As noted in the Department of the Prosecuting Attorney's testimony, the penalties imposed by this measure raise constitutional concerns over the proportionality of the punishment. The Prosecutor explained: "In *State v. Davia*, 87 Hawai'i 249, 258, 953 P.2d 1347, 1356 (1998), the Hawai'i Supreme Court identified three factors for evaluating whether a punishment is cruel and unusual under the Hawai'i Constitution: (1) the nature of the offense and the danger posed to society; (2) the severity of the penalty compared to punishments for more serious offenses in Hawai'i; and (3) the penalty compared to punishments for the same offense in other jurisdictions."<sup>1</sup> A fine of \$2,000 and imprisonment of up to 30 days is a severe penalty for simple possession of a shopping cart. This is especially true considering there is no intent element of the crime, which differs from similar laws in other jurisdictions. Bill 53 therefore fares poorly under the third factor.<sup>2</sup> California, for example, provides:

It is unlawful to do any of the following acts, if a shopping cart or laundry cart has a permanently affixed sign as provided in Section 22435.1: (a) To remove a shopping cart or laundry cart from the premises or parking area

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<sup>1</sup>Department of the Prosecuting Attorney, City and County of Honolulu. Testimony on Bill 53 (2026), Proposed CD1, relating to shopping carts. Presented to: Honolulu City Council; October 22, 2026.

<sup>2</sup>*State v Davia*, 87 Hawai'i 249, 258, 953 P2d 1347, 1356 (1998).

of a retail establishment with the intent to temporarily or permanently deprive the owner or retailer of possession of the cart. (b) To be in possession of any shopping cart or laundry cart that has been removed from the premises or the parking area of a retail establishment, with the intent to temporarily or permanently deprive the owner or retailer of possession of the cart.<sup>3</sup>

Strict liability is generally disfavored in criminal law, and the U.S. Supreme Court has recognized that it is typically tolerated only when penalties are light, as with minor traffic infractions.<sup>4</sup> The lack of a requirement that one intend to temporarily or permanently deprive the owner or retailer of possession of the cart means that if an elderly person simply found an unidentified cart and used it for their shopping downtown, they would face the same criminal penalties as someone who intentionally stole the cart. As another example, a person pushing a cart to the sidewalk outside of a store's parking lot to unload groceries into a waiting car would also violate Bill 53, as it is unlikely that the retailer would provide written authorization for such use.

The bill's vagueness criminalizes harmless conduct and may violate the U.S. Constitution. The boundaries of the premises that a cart owner owns or otherwise has a legal interest in are not always clear. For example, if a person were to take a shopping cart from the Ala Moana Target to the neighboring parking lot outside of Macy's, the average person is unlikely to know whether they are breaking the law or not. The Due Process Clause of the Fourteenth Amendment to the U.S. Constitution requires that people have fair notice of what conduct is criminal. A law is unconstitutionally vague when people "of common intelligence must necessarily guess at its meaning and differ as to its application."<sup>5</sup> The U.S. Supreme Court has also held that due process may be violated when a person is punished for wholly passive conduct without knowledge that the conduct is unlawful.<sup>6</sup>

### **Bill 53 exacerbates the social conditions that cause homelessness.**

To the extent that people are using shopping carts to store personal belongings, Bill 53 does nothing to address this problem's underlying cause. Those who cannot afford housing often have nowhere to put their belongings. Taking away a cart without

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<sup>3</sup>Cal Bus & Prof Code §22435.2.

<sup>4</sup>*Morissette v United States*, 342 US 246 (1952).

<sup>5</sup>*Connally v General Construction Co*, 269 US 385, 391 (1926).

<sup>6</sup>*Lambert v California*, 355 US 225 (1957).

providing an alternative place to store belongings means that personal belongings will likely be left unsecured, leading to increased litter.

Additionally, imposing hefty fines and incarcerating someone only sets them further back in securing permanent housing. Research shows that ticketing and jailing people who are houseless only makes houselessness worse.<sup>7</sup> Bill 53 penalizes people for houselessness without investing in solutions to help people get permanent housing.

**Shopping cart theft is already illegal, and Bill 53 unfairly singles out a specific type of property to be treated as contraband for special enforcement.**

Although we understand that shopping cart theft is a common problem affecting retailers throughout the country, the City and County has not adequately demonstrated why this type of property theft cannot be addressed through enforcement of existing laws. Contrary to what is implied by the bill's preamble, shopping cart theft is not the driver of the recent increase in grocery prices.<sup>8</sup> Bill 53 does nothing to address the actual causes, such as rising fuel costs and Hawai'i's lack of food sovereignty.

**Bill 53 requires massive expenditure of city and state resources without evidence to support it.**

As others have noted, Bill 53's prescribed incarceration period alone could cost taxpayers up to \$9,200 per person.<sup>9</sup> This does not include City & County resources, such as police and prosecutor staffing for enforcement. It does not include the cost of storage for these carts, and it does not include the cost of storage for any property inside of the carts when they are seized.

In enacting Bill 53, the City & County of Honolulu will be choosing one of the most expensive and least effective approaches possible. For contrast, Phoenix, Arizona, spent about \$7.50 per cart on abandoned shopping cart removal and return in fiscal year 2024.<sup>10</sup> Under Bill 53, taxpayers would be spending up to \$9,200 per cart in incarceration costs

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<sup>7</sup>National Alliance to End Homelessness. Criminalizing homelessness worsens the crisis, research shows. Published [Month Day, Year]. Accessed [Month Day, Year]. <https://endhomelessness.org/criminalization>

<sup>8</sup>Huff D. Rising fuel costs prompt spike in Hawaii grocery prices. Hawaii News Now. Published September 28, 2026. Accessed [Month Day, Year]. <https://www.hawaiinewsnow.com/2026/09/29/rising-fuel-costs-prompt-spike-hawaii-grocery-prices/>

<sup>9</sup>Burgos A. Covering the cost: The cost of incarceration and Hawaii's prison system. Hawaii News Now. Published June 3, 2026. Accessed [Month Day, Year]. <https://www.hawaiinewsnow.com/2026/06/03/covering-cost-cost-incarceration-hawaiis-prison-system/>

<sup>10</sup>Yancey-Bragg N. Laws across the nation promise a shopping cart crackdown. *USA Today*. Published February 22, 2026. Accessed [Month Day, Year]. <https://www.usatoday.com/story/news/nation/2026/02/22/shopping-cart-crackdown-laws/88479792007/>

alone to address the same problem, and would be diverting line officers from more serious public safety concerns at a time when HPD is experiencing near-record vacancies.<sup>11</sup>

Cheaper, more effective solutions include:

- a. Establishing a grant assistance program to equip retailers with anti-theft cart locking devices;
- b. Providing free, secure lockers in public spaces;
- c. Investing in supportive housing; and
- d. Expanding other wrap-around social services for mental health, emotional, or behavioral issues.

For the above reasons, ACLU-HI respectfully requests that you defer Bill 53. Thank you for the opportunity to testify.

Mahalo,

Mandy Fernandes  
Policy Director  
ACLU of Hawai'i  
mfernandes@acluhawaii.org

*With more than 4,000 Hawai'i-based members, the mission of the American Civil Liberties Union of Hawai'i is to protect the fundamental freedoms enshrined in the United States and Hawai'i State Constitutions through legislative, litigation, and public education work. 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 our communities in Hawai'i for over 60 years.*

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<sup>11</sup>HPD officer vacancies near record levels as new chief David Lazar takes over [video]. Hawaii News Now. Published June 30, 2026. Accessed [Month Day, Year].  
<https://www.hawaiinewsnow.com/video/2026/07/01/hpd-officer-vacancies-near-record-levels-new-chief-david-lazar-takes-over/>

Aloha Chair and members of the Public Safety Committee,

My name is Phoebe-Kate Bancaco and I am a kanaka 'Oiwī born and raised on Maui.

I am testifying in **strong opposition** to Bill 53, CD1 because it directly targets and criminalizes those affected by poverty.

According to Bill 53, CD1 those found utilizing shopping carts that are not owned by them will receive a \$2,000 fine or imprisonment for a period of 30 days. This bill would not help house, clothe, feed, or rehabilitate the houseless population, but rather put them into a jail system that is already understaffed and oversaturated.

Someone who is affected by poverty and utilizing shopping carts cannot afford to pay a \$2,000 fine and will more likely be incarcerated. In Hawai'i, it costs taxpayers \$307/day to incarcerate someone. At the same time, Kanaka 'Oiwī make up about 40% of people in prison. We would only be hurting our own community instead of helping to make any positive changes.

I would like my money to fund rehabilitation efforts, housing assistance, and healthcare. *Not* for throwing people into jail for situations they have little control over. Jail takes peoples belongings, documents, things they *need* to build a foundation, find housing and employment. Sending them to jail or handing out fines is not a temporary solution and far from a lasting one.

There are better ways to be proactive and to secure private property before punishing the houseless population and housed taxpayers. For example, businesses could maintain the carts, ensuring they have the proper inventory and install locking wheels to deter usage.

There has been no evidence that punishing the houseless population reduces abandoned shopping carts. They are not for leisure, but rather for survival. By funding programs to help support them instead of punishment, we can both keep our environment cleaner and safe without further disenfranchising Kanaka 'Oiwī and others affected by poverty.

All of us could be one step away from houselessness, in the end we are all still people and deserve safety and care.

Please vote **no** on Bill 53.

Mahalo nui for the opportunity to testify.

Sincerely,

Phoebe-Kate Bancaco