

FOR IMMEDIATE RELEASE

Kia'i Pu'uhonua O Kanahā & Share Your Mana

Press Contact: Lisa Darcy

Phone: 808-344-5300

Email: lisa@shareyourmana.org

MAUI COUNTY ADVOCATES SPEAK OUT: COUNTY'S 'SWEEPS' OF PU'UHONUA O KANAHĀ VIOLATE HOUSELESS RESIDENTS' CIVIL RIGHTS

Kahului, HI, Sept 23 – A “sweep” of Pu'uhonua O Kanahā—a self-named encampment of unhoused Maui residents on a section of 'Āmala Place at Kanahā in the Moku of Wailuku—began Monday under the direction of Mayor Mike Victorino as part of a planned cleanup of trash accumulated in the area. The Kanahā community was given one week to relocate. The County's actions during the sweep have violated the civil rights of Maui's houseless residents, says Kia'i Pu'uhonua O Kanahā, an all-volunteer advocacy group that has formed in response to the sweep and in support of the efforts of local nonprofit Share Your Mana (SYM), who has been a consistent advocate for their rights for years. In order to protect and advocate on behalf of these residents, the group of volunteers has been a consistent presence on the ground this week, supporting the encampment community during the sweep. The group says that the County's actions have forced Kanahā residents and families to relocate, many with no place to go, citing that there is not enough housing available to accommodate their needs. The group also states that the sweep is putting residents at risk by ignoring stop demands from American Civil Liberties Union (ACLU) Hawai'i and ignoring the recommendations of the Center for Disease Control (CDC) during a pandemic with record-breaking numbers of Covid-19 cases in the Maui community.

Over the course of the week's events, which have included citations and threats of arrest made to houseless residents, in public statements the County and its designated agency Family Life Center have maintained that all residents have been offered shelter. The determined advocates, who have been documenting the County's actions and working intimately with the Kanahā community daily, say that this is not true and in fact the Mayor has broken promises made to the residents.

As of Friday morning, September 24th, there were about ten residents whose access to shelter was not yet determined, and volunteer advocates—not the County agencies—were working around the clock to assist in their relocation to safe places.

Lisa Darcy, founder of Share Your Mana (SYM), an on-the-ground organization that for years has been collaborating with unhoused Kanahā residents for innovative solutions, stated “The work of the advocates this week is the epitome of compassion in action. I am so grateful that the Kanahā community was not alone and had personalized attention during this sweep.”

"The vast majority, close to 90% of Kanahā residents are kānaka maoli. It's unconscionable that the people of this place are unhoused in their own homeland," said Noelani Ahia, a volunteer community advocate with Kia'i Pu'uhonua O Kanahā. "There simply isn't enough shelter space or pallet homes available and some folks have circumstances that make the shelters not an option. The Mayor said he would work with those with extenuating circumstances who cannot go to shelters, some of whom he met in a meeting last Friday. He seemed to understand the complicated nature of their circumstances and said agencies would be available to help them. But the help never came. Many folks scattered immediately after law enforcement and work crews arrived on Monday, having suffered severe trauma from previous sweeps. It would have been far more prudent to make sure all of these folks were given options before the sweeps took place. Much of this distress could have been avoided."

Darcy confirms that there is a lack of housing at this moment to sufficiently meet the overwhelming need for the visible and hidden homeless on Maui to live sanitary and sustainable lives. Darcy estimates there may be as many as 1,000 hidden homeless on Maui. Unhoused residents have circumstances and conditions which agencies cannot address due to the fact that they have not evolved their practices to meet the needs of all residents and to make current solutions more effective.

Darcy states that her organization "has worked tirelessly to shift the inverted processes which govern the needs of those living unsheltered and unhoused." For years, she has advocated for a creative, culturally sensitive approach to the issues, and has championed person-centered, evidence-based solutions.

"This dialogue needs to be held in the larger context of affordable housing in a county with a median home price of over \$1million dollars," says Darcy. "After the housing crash many years ago, the displacement of housed community members into rentals further exacerbated the housing inventory crisis. At that time, without the emergence of new, flexible entry points that incorporate mental health, addiction, and trauma-related needs, this crisis has bloomed into an overwhelming task. Maui's housing crisis will continue to worsen without visionary leadership."

In observing the Administration's handling of this particular sweep, she says "it was designed to fail and yet it didn't, because of the willingness of educated, compassionate community advocates who banded together to facilitate safety and communication for every single unhoused member of Pu'uhonua O Kanahā."

It is unclear how many sweeps have occurred in recent years, and there is a lack of data speaking to their efficacy, or accountability for the outcomes of these actions. As a result, these harmful cycles continue.

While the County has maintained that the CDC's public health guidelines changed in July of this year, the [CDC website](#) continues to display a warning that "closing [homeless] encampments can lead people to disperse and result in increased crowding at other encampments or in shelters, which can increase the risk of spreading infectious disease."

The claims of rights violations made by the Kia'i Pu'uhonua O Kanahā have been supported by the Hawai'i chapter of the [American Civil Liberties Union \(ACLU\)](#), who sent demand letters to Mayor Victorino, Maui's Chief of Police, and other state and county officials on Tuesday, citing multiple civil rights violations, violation of the CDC guidelines, and demanding that the sweep ceases immediately. Those demands were not acknowledged by the Mayor and the sweep continued.

Advocates on the ground at Pu'uhonua O Kanahā pointed out that the outreach practices they witnessed this week have been confrontational, punitive, and not grounded in supportive, compassionate, person-centered approaches, which are necessary approaches for assisting those experiencing mental illness or addiction. The advocates were shocked that other agencies were asked to stay away from the sweep actions, or were not allowed to enter 'Āmala Place to assist vulnerable residents while the sweep was underway.

"For decades," Darcy says, "the outcries from service providers and those living unhoused have argued against the punitive approach to destroying make-shift housing, noting without a front-end approach of offering options for safety, it only exacerbates and traumatizes individuals and compounds the issues. The U.S. Court of Appeals Ninth Circuit decision in *Martin vs. Boise*, which is cited in the ACLU Hawai'i demand letter, demonstrates the cruelty and dangers which were imposed upon defenseless citizens. Criminalizing citizens who do not have equal access to the justice system hurts the fabric of our communities. The case acknowledges those in poverty do not have equal access to due process. Maui continues to refuse to evolve, leaving the problems to multiply."

Historical Timeline of Events at Kanahā

When the County Parks and Recreation Department closed the access to Kanahā Park in March 2020 at the onset of the pandemic, the 100+ residents who used it daily were displaced and moved outside of the gate along the roadside on 'Āmala Place. Closing gates to the County park cut off access to drinking and showering water, bathrooms, and shade, which provided much needed protection from natural elements. There were no provisions made until the SYM community raised their voices in alarm. Petitions, social media posts which included pictures of unhoused children, and calls to the Mayor's office applied the pressure for this change. It was only then that basic humanitarian infrastructure was provided by the County.

Pu'uhonua O Kanahā thrived when the County provided portable bathrooms with wash stations, connection to water by opening a fire-hydrant, and a dumpster. SYM immediately activated at this time, mentoring leadership during regular Kanahā community meetings to achieve a healthy managed encampment. communicating regularly with County department heads and County Council members, coordinating basic needs such as tents, first aid, pre-made low waste meals, and anything necessary for survival, as all agencies shuttered for months. Posting these actions on social media, SYM built trust within the community and inspired the housed community to get involved.

Then, the week of June 11th, 2020, with the re-opening of the Kanahā park gate, the County withdrew their support without notice to the community. They removed the trash bin, the adapter for fire-hydrant access, the road closure barrier, and the portable bathrooms. Through many emails and calls, Lisa Darcy requested these humanitarian services be reinstated. Her efforts to support the Kanahā community were ignored and became a turning point—outside community members began using ‘Āmala Place to socialize at all hours of the night, and to dump trash and derelict vehicles.

“Taking away the barrier, dumpster, portables, and water access was the beginning of the Kanahā community being unable to self-regulate,” Darcy said, “because the public could come in whenever they wanted. This was a moment which drastically changed the conditions at ‘Āmala Place and ultimately precipitated the sweep. Contrary to the narrative of County representatives, this situation was not caused by the original residents of Pu‘uhonua O Kanahā.”

While Maui was sheltering in place following emergency “Stay at Home” orders, residents of Pu‘uhonua O Kanahā continued to receive citations and were harassed for illegal parking, sometimes as late as 1:00 am. Meanwhile, shelters were consistently full and residents had no sway of gaining income to pay fines. Pu‘uhonua O Kanahā is only one of dozens of sizable encampments in Maui County. At the beginning of November 2020, under close watch of community advocates, Maui Police Department agreed to cease the practice of citing those living in vehicles used for habitation, leading to a reduction in citations at the encampment.

On August 31, 2021, the County installed “Criminal Trespass II” signs along ‘Āmala Place, which set the stage for criminalizing houseless residents. Still inviting a partnership with the County for a healthy and safe outcome, Darcy held emergency community meetings with Kahanā residents to plan for every situation.

“We immediately knew these signs were indicators of the County’s upcoming sweeps, because they did the same thing in other areas of Kahului in May,” says Darcy. “I prepared the Kanahā community for the ‘Notice to Vacate’ papers, which the Maui Police Department then distributed on September 14, 2021.”

Shortly thereafter, on September 20th, the sweep began. Maui County continues to fail it’s unhoused and unsheltered residents. Director of Housing and Human Concerns, Lori Tsuhako and Homeless Coordinator David Nakama did not visit the Kanahā site once during the sweep. Darcy says requests for partnership with the Mayor’s administration and lead agencies were met with anger and intimidation. Requests for transparent solutions with reasonable time-frames were disregarded.

“This behavior demonstrates the difference in rights for housed and unhoused community residents,” said Darcy. “A housed resident is protected by eviction laws, while the unhoused have no protections.”

“Had the County facilitated a managed camp, or re-opened the area previously used for camping, the sweep could have been avoided,” said community advocate Noelani Ahia. “The taxpayer-funded County resources could have been used towards health and safety measures to support the Kanahā community until appropriate housing became available. Throughout the pandemic, many residents expressed a desire to move into the pallet structures on Waiale Road that sat largely empty until recently. The residents want safe housing and we need to resist the narrative that they want to live like this. That’s just the excuse that’s given when agencies fail to meet the needs of this community.”

Ahia continued, “The advocates have a sincere desire to take these lessons and create systemic change that will prevent this type of chaotic, mismanaged, inhumane sweep from happening again. They want the larger community to know that these residents are regular people, just like you and I. They could be your mother, aunty, son or friend. Many of us are one paycheck, one illness, one disability away from being in this same predicament. It’s past time for Maui County to step up and acknowledge the humanitarian crisis the housing situation has created, and take action to reverse course.”

Darcy asserts, “these are all solvable equations and we will fight to insert practices which honor individual civil rights regardless of whether you are housed or unhoused. We must stay in a place of solutions.”

##