



**ARAYZA SABAY INCIDENT
SOLUTIONS MEETING
JUNE 30, 2018**



Bill Buley photo | The Garden Island Newspaper

AFTER ACTION REPORT

prepared by Janice M. Ferraz & Tommy A. Noyes

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Executive Summary

A Solutions Meeting is a forum for elected and appointed officials, candidates, family, neighbors, safety advocates, and media held at the site of roadway violence—where a person or persons have been severely injured or killed—that seeks ways to make our streets and roads safer for all users. Typical suggestions from a Solutions Meeting will address changes in education, enforcement, evaluation, encouragement, or engineering practices to help prevent future tragedies.

This Solutions Meeting was convened by Kauai Path, Inc., a community organization with the vision of Kauai residents working together to preserve, protect, and extend access island-wide through the design, implementation, and stewardship of non-motorized multi-use paths.

Recommendations from the twenty-three individuals gathered during this Solutions Meeting:

Evaluation

- Ascertain school bus stop locations.
- Evaluate school bus stops & routes for safety.
- DOE needs to assure that bus stops are in safe spots.

Engineering

- Use Safe Routes To School funding.
- Stripe or demark shoulders on Laukona Street.
- Stripe crosswalks, possibly with flashing lights.
- Consider building bus stop shelters, sidewalks, speed bumps.
- Implement policy that collector roads must have sidewalks.

Education

- Educate children on walking to and from the school bus stop or to and from school safely.
- Update Bus Stop signage to accurately identify actual locations.
- KPD can place mobile electronic signs for messaging.

Enforcement

- Enforce the public right-of-way from encroachment of street gardens and obstructions.
- Enforcement by KPD, possibly with cameras.
- Let KPD know of problem areas.
- Enforcement of No Parking laws along the walking route.

Encouragement

- Reduce speed limit on small residential streets around the island to 20 MPH.
- Students and other early morning walkers should wear bright vest or reflector lights.
- Consider County ordinance against walking and texting.

Kauai Path will collaborate with the Hawai'i State Department of Education, the Hawai'i State Department of Transportation's Highways Division, Kauai Police Department, the County of Kaua'i Departments of Planning & Public Works, and other stakeholders to implement the recommendations in this document as feasible.

About Kauai Path

Founded in 2007, Kauai Path, Inc. is a community organization with the vision of Kauai residents working together to preserve, protect, and extend access island-wide through the design, implementation, and stewardship of non-motorized multi-use paths.

A board of directors¹ leads Kauai Path, and several interest groups participate in various committees that report to the board. These committees manage such endeavors as reducing roadway violence, youth and adult bicycle skills training programs, Path Ambassadors and Friends of the Path volunteer activities, active transportation data collection, fund raising, outreach, and planning.

Kauai Path is a registered 501 (c) (3) educational non-profit, and is an equal opportunity employer and provider.

Introduction

America can do much to improve the safety of pedestrians and bicyclists. The traffic fatality rate in the United States (10.7 per 100,000 people) is nearly four times higher than in the United Kingdom (2.8 per 100,000) and close to double that of Canada (5.8). To put that in perspective, if America had the same traffic fatality rate as the U.K., around 25,000 fewer people would be killed every year.²

Fatal and non-fatal injuries in the United States—including traffic injuries—are not acts of fate but are predictable and preventable. Individual responsibility can prevent crashes. Accordingly, advocates for roadway safety around Hawaii believe that loss of life is not an acceptable price to pay for mobility. In every situation a person might fail. The road system should not.

It is our commitment that together and without blame we can find and work towards implementing solutions.



Bill Buley photo | The Garden Island Newspaper
Raymond Sabay, right, looks around during a stop on the walking tour of the route from his home to the school bus stop led by his daughter, Arayza Sabay, resting on the curb foreground.

Background

On the morning of January 11, 2018, in Hanamaulu, Kauai, twelve-year-old Arayza Sabay was struck by a motor vehicle as she was walking to her bus stop to go to school. Arayza recovered consciousness at Queens Hospital on Oahu with brain injuries and a fractured jaw. She still has vision impairment as a result of the injuries, but has mostly recovered from the physical trauma.

Arayza's case was covered by local media and drew concerned citizens' attention from around Kauai.

Kauai Path's leaders were also drawn to this case, and the educational non-profit proceeded to convene a Solutions Meeting in order to help prevent similar tragedies.

In an effort to reduce the recurring incidents of travel related injuries and deaths plaguing Hawaii, the Hawaii Bicycling League ("HBL") successfully appealed to the Hawai'i State Department of Health's Emergency Medical Services & Injury Prevention System Branch for funds to support Solutions Meetings on the neighbor islands.

HBL's view is that pedestrians and cyclists share similar interests as vulnerable users. Streets that are safe for pedestrians are also streets safer for cyclists. 'Vision Zero' is a coordinated international effort that aims to achieve zero traffic fatalities and serious injuries. To chip away at this goal, the HBL holds & supports Solutions Meetings, Memorial Rides, and Sign Waving events to honor the person injured or killed by roadway violence.

A Solutions Meeting can be convened to discuss various changes that will make the roadway safer for all users. Solutions Meetings are inclusive to all roadway stakeholders, avoid blame, and focus on what can be done in the future to prevent other deaths.

These events are intended to remind everyone that each of us has a responsibility to improve conditions where we live, and to inspire implementing education, enforcement, evaluation, encouragement, and engineering improvements that over time will prevent future crashes.

Kauai Path agreed to collaborate with HBL to coordinate Kauai's first Solution Meeting.

This effort would not have happened, and will not result in significant gains towards safer streets, without the commitment many individuals. Rather than list all of you who have already contributed to the effort, if you are this reading please know that your time and thoughts are greatly appreciated.

Preparation

Kauai Path recruited Janice Ferraz to serve as facilitator for this Solutions Meeting. Ms. Ferraz is highly motivated to seek reductions in roadway violence, since she, like Arayza Sabay, is also a victim. In 2017 she was struck by a motor vehicle while riding her bike towards home on Kawaihau Road in Kapaa. The motorist who struck Ms. Ferraz fled the scene, and Ms. Ferraz was left for hours in a ditch with life threatening injuries. Ms. Ferraz is still recovering.

Ms. Ferraz and Kauai Path agreed upon a Scope of Work, and her initial task was to engage the Sabay family.

Gathering the forces

Ideally, a Solutions Meeting should be held within two weeks of the incident of roadway violence, at the same time of day, and day of the week. In this instance such scheduling was not an option. An initial site visit was conducted on May 27, 2018 by:

- Ms. Ferraz
- Kauai Path board member Tom Christy
- Kauai Path executive director Tommy Noyes
- Angelo Catiggay, member of the Philippine Islands Hawaii Islands (PIHI) Bicycle Club
- Chad Taniguchi Hawaii Bicycle League's executive director.

The team walked the neighborhood, spoke with a resident about where the accident happened, and noted:

- Arayza was apparently struck during early morning, low-light conditions in a blind spot on a downward sloping roadway;
- the clothing worn by Arayza is unknown;
- the makai side of Laukona Street is obstructed by a vegetable garden;
- the school bus stop sign was unsheltered and left a very small spot off of the road to wait, and does not provide sufficient space for fifteen kids;
- the streets are wide and without shoulder demarcation lines; and
- after about an hour of contemplation, consideration, and discussion the team decided that this would be a very appropriate case for a Solutions Meeting.

Concluding the site visit all agreed that holding a Solutions Meeting on Laukona Street in Hanamaulu, Kauai focusing on the Sabay incident was feasible and appropriate. A time frame for the Solutions Meeting was agreed upon, and participants discussed ideas for assuring the Sabay family's active participation.

As part of her scope of work, Ms. Ferraz was responsible for:

- establishing contact, trust, & rapport with victim Arayza Sabay's ohana;
- conveying the purpose & goals of Solutions Meeting process; and
- agreeing on potential event dates & desired outcomes.

Contacting a family that has suffered a traumatic experience such as the Sabay family endured calls for respect and sensitivity. Accordingly, Mr. Catiggay recommended approaching the family through Mr. Lem Soria, a community leader and family acquaintance. That approach did not work out.

The next option was to contact Ms. Bethany Freudenthal, a reporter with the Garden Island Newspaper. Ms. Freudenthal had covered the Sabay case and had credibility with the family. At Ms. Ferraz's request, Ms. Freudenthal reached out to Mr. Sabay, and got permission for Ms. Ferraz to contact him. Ms. Ferraz scheduled an initial face-to-face session with the Sabay family.

The Sabay ohana

During Ms. Ferraz's first phone conversation with Mr. Sabay she told him about herself, and her personal commitment to facilitating a productive Solutions Meeting.

At her Sunday, June 3, 2018 meeting with the Sabay ohana, she gave Arayza a special lei and honored her for being so brave. Mr. and Mrs. Sabay, Arayza, and little brother Charles attended the meeting in the Sabay's carport. As the Sabay family served pizza and lemonade Ms. Ferraz established trust and rapport, conveyed purpose and goals of the Solutions Meeting process, settled on potential event dates, and agreed on the desired outcomes. The Sabay family voiced their safety concerns and shared their ideas on solutions.

Mr. Sabay made it clear that his family also wanted to see something good come out of his daughter's and family's harrowing experience. They were interested in making sure that children were safe walking to school, and that future crashes were prevented. Mr. & Mrs. Sabay suggestions and concerns included:

- a sidewalk be built for walkers;
- a shed or shelter at the bus stop;
- speed bumps would slow down traffic;
- increased police presence would slow down traffic;
- the bus was not picking the children up at the indicated bus stop, but rather on the other side of the road, requiring the children to cross the road again, and contributing to the unsafe conditions;
- despite encouragement, the Sabay family has not yet obtained a Motor Vehicle Accident Report from the Kauai Police Department that may contain additional details

The Sabay family agreed to host the Solutions Meeting on Saturday, June 30, 2018, at their home. Ms. Ferraz interviewed Arayza and took photos used in a short video tribute to her.³

As soon as the date and meeting location were settled, an invitation was composed for email distribution. Over 60 emails were sent out individually to elected and appointed officials, candidates, families, neighbors, media representatives, and safety advocates.

Listed in the appendix are responses from supportive community members who for various reasons were unable to attend the June 30, 2018 Solutions Meeting.

Solutions Meeting final preparations

Preparing for the Solutions Meeting entailed:

- Dr. Randy Blake agreed to serve as event photographer;
- Ms. Cynthia Welti agreed to take notes;
- editor of the Garden Island Newspaper Mr. Bill Buley, agreed to attend and report on the event;
- Mr. Tommy Noyes prepared a sign-in sheet and nametags;
- the team showed up an hour before the start of the event and set up two pop-up tents in the Sabay's yard—one for registering meeting participants and the other for snacks and beverages;

- Rep. Jimmy Tokioka donated bottled water;
- HBL donated snacks; and
- a large easel, paper, & markers were set up inside the carport for recording recommendations. The agenda & suggestions generated were expected to fill several pages, so we selected the type of note pad that has the adhesive top edge. The notes were easily posted on the walls around the carport.

The Solutions Meeting

The following people participated in and contributed to the Arayza Sabay's Solutions Meeting:

Arayza Sabay	victim of roadway violence
Bill Buley	editor, Garden Island Newspaper
Bo Kamala	community member
Chad Taniguchi	executive director, Hawaii Bicycling League
Clint A. Yago, Sr.	Mayoral candidate
Cynthia Welti	Kauai Path board
Derek Kawakami	Mayoral candidate
Eric Lazar	community member
Felicia Cowden	County Council candidate
Harold D.K. Vidinha	County Council candidate
Janice Ferraz	facilitator
Jimmy Tokioka	State Representative
JoAnn Yukimura	Mayoral candidate
Juno Ann A. Apalla	County Council candidate
Mason Chock	County Council candidate
Randy Blake	Kauai Path board
Ray Sabay	Arayza Sabay's father
Roy Saito	County Council candidate
Russell Himongala	officer, Kauai Police Department
Shirley Simbre-Medieros	County Council candidate
Wendy Vidinha	community member
Thomas Christy	Kauai Path board
Tommy Noyes	executive director, Kauai Path



Randy Blake photo
 From left: KPD officer Russell Himongala, Eric Lazar, Jimmy Tokioka, Roy Saito, Raymond Sabay, Mason Chock, JoAnn Yukimura, Shirley Simbre-Medieros, Juno Ann A. Apalla, Felicia Cowden, Arayza Sabay, Janice M. Ferraz, Clint A. Yago, Sr., Cynthia Welti, Chad Taniguchi, Bo Kamala, Harold D. K. Vidinha, Tommy A. Noyes, Wendy Vidinha, and Tom Christy.

Agenda

- 4:00 pm Sounding of the pu (traditional conch shell), circle up, welcome, & introductions
- 4:15 pm Walk together the route to Arayza's injury site & bus stop
- 4:30 pm Solutions forum
- 5:15 pm Wrap up
- 5:30 pm Pau

Event coordinators dispensed high visibility vests, notecards, and pencils to the participants, and all set out on the route that Arayza walked the morning she was hit.

Although Arayza could not actually remember walking towards the bus on the morning that she was hit, she and her father led the group. Walking participants actively engaged in making observations, asking questions, and productive conversations.

On a typical school day, Arayza walks towards the bus stop on the near (makai) side of the Laukona Street. There is no sidewalk on either side. The bus picks up at 7:00 am and she leaves home at 6:50 am.

Cars are not usually parked along Laukona Street.



Bill Buley photo | The Garden Island Newspaper

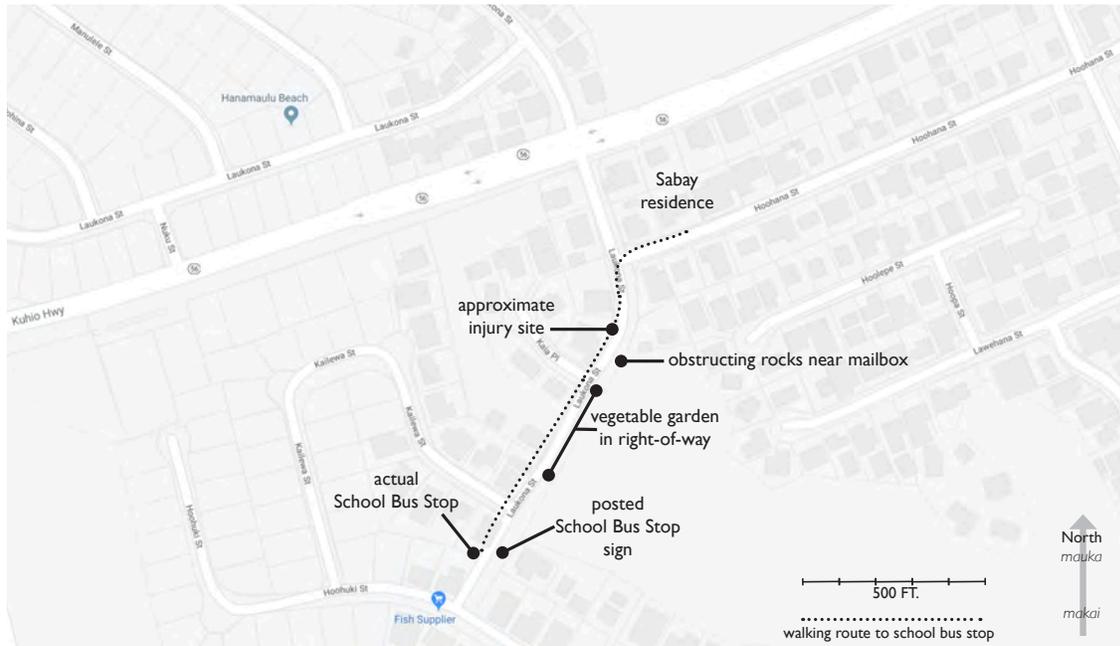
Kauai Police Department officer Russell Himongala leads the way as the group walks on Laukona Street in Hanamaulu as they look for ways to improve safety.

side. Okinawan sweet potatoes and okra have been planted in the right-of-way. In addition to the garden, there are also a mailbox and a rock formation in the easement blocking people from walking.

Mr. Sabay showed the group where Arayza was found on the far side (mauka) of Laukona Street, before the place where the bus picks up students.

There was some confusion over the actual location of the school bus stop, as the official stop with the sign is further down the street on the near (makai) side. Arayza said the bus picks them up and drops off students on the far (Mauka) side, just past a curve in the road.

Arayza says ten to fifteen students are picked up at the bus stop. The others come from the opposite direction. She is the only student to come from Hoohana Street where her home is.



There was a truck parked on the grass easement on the far (mauka) side blocking walking access on that side of the road. There is no restriction on parking in that location.

Kauai Police Officer Russell Himongala could not comment on the case because it is still open, and he is an investigating officer in the case. He asked those on the tour, “What’s something obvious which is missing, that would help the situation?” A big chorus replied, “A sidewalk!”

Cars can park on Laukono Street, and particularly on the far (mauka) side of the street parked cars would block visibility as motorists travel downhill around that blind curve. Even without cars, it is a blind curve, and on the January morning Arayza was struck it was still dark. The students cross the street in that area.

The posted speed limit is 25 mph.

The group walked back to the Sabay’s residence, selected snacks, and sat down for the forum in the carport. Ms. Welti continued to take notes, and Ms. JoAnn Yukimura volunteered to write the group’s suggestions on the big note pad for everyone to follow.



Randy Blake photo
 In the Sabay's carport JoAnn Yukimura (left) records comments on the easel as Tommy Noyes (standing) recommends a policy change to establish a maximum speed limit for all of the island's small residential streets at 20 MPH.

Mr. Michael Moule, Chief of Engineering, County of Kaua'i, Department of Public Works, was unable to attend, but submitted written observations prior to the Solutions Meeting (shown in the appendix). Mr. Moule's memo was read to the assembled group.

Ms. Ferraz in her facilitator role called on participants to share their ideas and solutions intended to make the roadway safer for users of all travel modes and ages, and prevent tragedies such as Arayza's injuries.

Recommendations and supporting logic

Recommendations from the twenty-three individuals gathered during this Solutions Meeting included:

Evaluation

- Observe where kids naturally walk, and improve the walking facilities for that route.
 - this practice follows the "Desire Line."
- Evaluate school bus stops & routes for safety.
 - ascertain school bus stop locations
 - get a sense of relative degree of accommodations for the students
 - KPD could talk to DOE about stops that could be safer
- DOE needs to locate bus stops for children in safe spots.

Engineering

- Use Safe Routes To School funding.
- Stripe or demark shoulders on Laukona Street.
 - first designate a shoulder area
 - later return and enhance the striping with reflectors, barriers and/or raised domes as needed
- Stripe crosswalks so that there are specific places for people who walk in the neighborhood to cross their streets.
 - possibly with flashing lights
- Consider a street diet—stripe narrower lanes.
- Consider building:
 - sidewalks for a safe place to walk
 - speed bumps to calm traffic
 - shelters at school bus stops.



Randy Blake photo

- Implement policy that collector roads must have sidewalks.
- Update Bus Stop signage to accurately identify locations.

Education

- Work with DOE to have sessions speaking to kids about safety while walking.
 - Educate children on walking to and from the school bus stop or to and from school.
- KPD can place mobile electronic signs for messaging.

Enforcement

- Cite violations of the public right-of-way
 - street gardens
 - obstructions such as rocks spotted near mail box
- Speed limit enforcement by KPD.
 - Let KPD know of problem areas
 - possibly use cameras to detect running red lights or speeding
- Enforce No Parking laws along the walking route.

Encouragement

- Reduce speed limits in residential areas around the island.
 - slowing vehicle speeds is a proven way to reduce crash incidence and severity
- Consider County ordinance against walking and texting.
- Urge students and other walkers on the streets during low light conditions to wear a bright vest, reflectors, or lights.

Recommendations for Immediate Action

Kauai Path will collaborate with the Hawai'i State Department of Education, the Hawai'i State Department of Transportation's Highways Division, Kauai Police Department, the County of Kauai Departments of Planning & Public Works, and other stakeholders to implement the above recommendations as feasible.

Kauai Path will communicate with Public Works on the scope of work to conduct shoulder striping on Laukona Street.

Kauai Path will communicate with specific DOE staff members through Representative Jimmy Tokioka to implement recommendations contained in this report. Possible goals include:

- schedule walking safety and road safety education courses for students at the beginning of the school year, and
- evaluate school bus pick-up and drop-off sites.

Kauai Path is providing this document electronically as a record of findings to all who registered at the June 30, 2018 Solutions Meeting. This document will also be distributed electronically to persons who indicated support for this safety initiative but were unable to attend, and is available to anyone upon request.

Publicity

Images from the Sabay Solutions Meeting were posted on Kauai Path's Facebook site.

The Garden Island Newspaper editor Mr. Bill Buley attended and reported on the Sabay Solutions Meeting. Transcripts of his article ⁴ and editorial ⁵ are available on request from Kauai Path, or use the links provided in the endnotes.

Conclusion

Roadway design should be based on the premise that humans are fallible, and will make mistakes.

If you take a nuclear power station, if you take aviation, if you take a rail system, all of them are based on the idea that they are operated by people who can make a mistake. The same understanding should influence roadway design, where traffic calming, well-marked crosswalks and pedestrian zones, and separated bike lanes can help minimize the consequences of a mistake. In every situation a person might fail. The road system should not.

With the June 30, 2018 Solutions Meeting in honor of Arayza Sabay we have walked forward together, and are now one small step closer to eliminating traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all.

Many participants have learned a bit about Kauai Path, Inc. and its mission to serve Kauai. We have respectfully listened and shared our time formulating ideas, and have initiated constructive conversations about evaluation, engineering, education, encouragement, and enforcement actions.

We have walked step-by-step through the Solutions Meeting process, and can see the desired result unfolding as we take immediate actions and plan for future actions.

Mahalo for your contributions to this constructive conversation about changes that will make Laukona Street and neighborhoods like Hanamaulu safer for users of all ages and travel modes. Mahalo for your long-term commitment to creating safer streets.

Mahalo,

Janice M. Ferraz & Tommy A. Noyes

Appendices

Submission from Michael Moule

E-mail communication from Mr. Moule to Tommy Noyes, June 29, 2018

Lee [Steinmetz] and I met briefly today to talk about a related issue. We discussed possible solutions for pedestrians walking along Laukona Street.

It appears that Laukona Street has the typical 44 feet of Right of Way of a local street, but it has a 36' pavement width. This is enough room for parking on both sides plus two unobstructed travel lanes.

Given the fact that there are not houses on both sides of the street for much of the length (due to undevelopable terrain), one possible solution would be to take 6 to 8 feet of the existing paved width and designate that portion as a pedestrian path. The simplest way to do this would be just pavement markings. There are other options to provide more separation, such as flexible delineator posts, or even a raised extruded curb.

Although there won't be County DPW or Planning representation at the meeting, if a marked / separated pedestrian path or other solution is something that is recommended at the meeting, we can arrange to have appropriate staff meet with those who attended the meeting to discuss possible implementation options.

-Michael

Michael Moule, PE, PTOE
Chief of Engineering
County of Kaua'i
Department of Public Works
4444 Rice Street, Suite 175, Līhu'e, HI 96766

(808) 241-4891 tel, (808) 241-6609 fax, mmoule@kauai.gov

Communications from Stakeholders Who Did Not Attend

Dom Acain

Public safety sits high on my list of things to accomplish for our island in or out of the political arena.

Mahalo for the invitation.

Dom

Luke Evslin

Thank you for the invite and for putting this event on. I'm honored to be included. Please keep me informed of any future events.

Thank you, Luke

Nadine Nakamura

Thank you for the invitation. Unfortunately I'm unable to attend this meeting as I'll be in Seattle. Please let me know if there will be other opportunities to discuss good roadway design.

Mahalo, Nadine

Jason Overmyer

Unfortunately I will be unable to attend this meeting. I will be out of the state from June 28th through July 4th. If there are any follow up meetings or if the date is changed please let me know.

Thank you,
Sgt Jason D. Overmyer
Kauai Police Department
Traffic Safety Section
3990 Kaana St Suite 200, Lihue, HI 96766
(808) 241-1611 jovermyer@kauai.gov

Adam Roversi

Thank you for the invitation to Kauai Path's Solutions Meeting. I strongly support Kauai Path's efforts to develop safer more bike and pedestrian friendly neighborhoods and roadways. As an avid bike rider I am very aware that the design of Kauai roads leaves much to be desired. If elected to County Council I will most assuredly work to ensure that all new roadways meet the most stringent pedestrian and bicycle friendly safety standards, and strive to incorporate these standards in existing roadways.

Unfortunately, I will most likely not be able to attend your June 30 meeting. In addition to my regular work as Deputy County Attorney, I am also the men's coach at Hanalei Canoe Club and June 30 is the date of Hanalei's Annual regatta. The club is counting on

me to help run the event. Please keep me on your list though. I would very much like to make it to a future meeting.

Mahalo,

Adam Roversi
Candidate for County Council electadamroversi.org

Norma Doctor Sparks

Please know that I continue to be interested and if there is a follow-up, please let me know.

Mahalo nui loa, Norma Doctor Sparks (808) 351-0306.

Milo Spindt

I am familiar with the incident as I was working in Kalaheo with the Fire Department the day that this happened and I know the ambulance crew and police that responded to the scene. We do need to find safe solutions, our children should be safe walking to school!

Unfortunately, our campaign is doing a fundraiser from 4:30-7:30 on the 30th and my attention will be on supporting the people that will be working so hard on the event.

Please keep me up to date and let me know if there are future meetings.

Aloha, Milo Spindt 808-631-7602

Endnotes

¹ Kauai Path's board of directors:

Dr. Randy Blake, president
Dr. Mark Olson, vice president
Bev Brody
Tom Christy
Lauren Guest, MPH
Dr. Derek Johnson
Cynthia Welti
Marie Williams, AICP

Tommy A. Noyes, executive director

² *America's Progress on Street Safety Is Pathetic*, Angie Schmidt, Streets Blog USA, August 2014, <https://usa.streetsblog.org/2014/08/20/americas-progress-on-street-safety-is-pathetic/>

³ *Solutions Meeting Kauai*, video by Janice Ferraz & Bo Kamala, <https://www.youtube.com/watch?v=yxnamlZXh-M&feature=youtu.be>

⁴ "In search of safer streets," by Bill Buley, The Garden Island | Sunday, July 8, 2018, 12:05 a.m. <http://www.thegardenisland.com/2018/07/08/hawaii-news/in-search-of-safer-streets/>

⁵ "Aryza Sabay displays what this world needs," editorial by The Garden Island | Tuesday, July 10, 2018, 12:05 a.m.: <http://www.thegardenisland.com/2018/07/10/opinion/arayza-sabay-displays-what-this-world-needs/>



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