



the  
**Drug Policy  
Forum**  
of hawaii

**LATE TESTIMONY**

March 18, 2010

To: Representative Faye Hanohano, Chair  
Representative Henry Aquino, Vice Chair and  
Members of the Committee on Public Safety

To: Representative Mele Carroll, Chair  
Representative Maile Shimabukuro, Vice Chair and  
Members of the Committee on Hawaiian Affairs

From: Jeanne Y. Ohta, Executive Director

RE: HCR 168 (Religious Practice)  
Hearing: Thursday, March 18, 2010, 11:00 a.m., Room 309

Position: Support

The Drug Policy Forum of Hawai'i writes in support of HCR 168 which requests that the Department of Public Safety require in its contracts that incarcerated Native Hawaiians be free to practice their native religion as well as one other faith.

Hawai'i is a multi-cultural and multi-religious community where many families observe the traditions of more than one faith. An individual should not have to choose one over the other. Native Hawaiians who wish to observe their Native Hawaiian religion should be allowed to also practice the traditions of one other faith.

Thank you for allowing us to testify in support of this measure.

**Board of Directors**

Pamela Lichty, M.P.H.  
*President*

Kat Brady  
*Vice President*

Heather Lusk  
*Treasurer*

Katherine Irwin, Ph.D.  
*Secretary*

Michael Kelley, D.Phil.

Richard S. Miller, Prof. of  
Law Emer.

Robert Perkinson, Ph.D.

*Donald Topping, Ph.D.*  
*Founder 1929-2003*

P.O. Box 61233  
Honolulu, HI 96839

Phone: (808)-988-4386  
Fax: (808) 373-7064

Email: [info@dpfhi.org](mailto:info@dpfhi.org)  
Website: [www.dpfhi.org](http://www.dpfhi.org)



# LATE TESTIMONY

Committees: Committees on Public Safety and Hawaiian Affairs  
Hearing Date/Time: Thursday, March 18, 2010, 11:00 a.m.  
Place: Room 309  
Re: Testimony of the ACLU of Hawaii in Support of and with Comments to H.C.R 168

Dear Chairs Hanohano and Carroll and Members of the Committees:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in strong support of and with comments to H.C.R. 168.

The ACLU of Hawaii receives numerous complaints from inmates, particularly those housed in Correctional Corporations of America facilities, that they are restricted from practicing their faith. More often than not, the inmates are Native Hawaiian and seek to practice their Native Hawaiian faith traditions as well as Christian faith traditions.

However, we also receive complaints from members of Native American and other backgrounds who face similar situations and who would benefit from this resolution. Allowing *all* inmates to practice more than one religion would resolve this problem for these inmates and would affirm Hawaii's tradition of ensuring that all its citizens are able to freely practice their religion.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii 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 Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)

**aquino1-Ruffalyne**

---

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 17, 2010 10:33 PM  
**To:** PBStestimony  
**Cc:** pohuku@yahoo.com  
**Subject:** Testimony for HCR168 on 3/18/2010 11:00:00 AM

**LATE TESTIMONY**

Testimony for PBS/HAW 3/18/2010 11:00:00 AM HCR168

Conference room: 309  
Testifier position: support  
Testifier will be present: No  
Submitted by: Evern E Williams  
Organization: Individual  
Address:  
Phone: 808-392-1486  
E-mail: [pohuku@yahoo.com](mailto:pohuku@yahoo.com)  
Submitted on: 3/17/2010

Comments:  
keeping non violent prisoners out of prison and saving taxpayer money makes good sense.  
Please pass this bill

# LATE TESTIMONY

aquino1-Ruffalyne

**From:** Rosemary McCombs Maxey [rmaxey@oklatel.net]  
**Sent:** Wednesday, March 17, 2010 3:23 PM  
**To:** PBStestimony  
**Cc:** Kat Brady  
**Subject:** Religious Freedom for Native Hawaiians

Aloha Chair Hanohano, Vice Chair Aquino and Members of the Committee,

My name is Rev. Rosemary McCombs Maxey, a citizen of the Muscogee (Creek) Nation of Oklahoma and a member of the United Church of Christ. I was a volunteer and supporter of the Native Hawaiians incarcerated at Diamondback Correctional Facility, Watonga, OK. A group of native and clergy persons here were able to support and meet with Native Hawaiian men as they learned about and practiced their traditional religion. I join with Kat Brady and the Community Alliance on Prisons in support of HCR 168 allowing prisoners the practice of 2 religions.

The private prisons usually support and encourage volunteers who are Christian. They use materials in faith pods that are from fundamentalist Christian traditions. The chaplains are usually Christian and not widely schooled in ecumenical or interfaith relationships or tolerances. My experience with Diamondback is that it took a lawsuit to allow Native Hawaiians to study, learn, and practice their traditions. It was easier, less punitive to practice a Christian religion. Many prisoners felt it helped their chances of parole to be able to recite scripture and participate in Christian services, yet it was the Native Hawaiian religious practices that gave them identity, cultural roots and a sense of their own history.

I strongly encourage the opportunity for prisoners to practice more than one faith.

Thank you.

Rosemary McCombs Maxey  
Dustin, Oklahoma