

**SB2134**

**Late**

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Hearing Notice  
Friday, February 5, 2010  
9:35AM  
State Capitol / Conference Room 016

SENATE COMMITTEE ON JUDICIARY & GOVERNMENTAL OPERATIONS (JGO)  
Chair: Senator Brian Taniguchi / Vice Chair: Senator Dwight Takamine

RE: Testimony of Support for SB 2134 (Relating to Desecration)

Aloha Chair Taniguchi, Vice Chair Takamine & Committee Members,

I strongly support SB 2134 and before proceeding I'd like to share information applicable to this bill.

*Puuiki Cemetery* is very special to me because it's where my beginning of *Community and Cultural* involvement started back in 1998 when I brought the matter of cemetery vandalism/desecration occurring while my Wife and I visited my *Kupuna* buried there. This resulted in community awareness and participation which *Dole Foods Hawaii* coordinating a major cleanup with help from the *U S Army* during *Make A Difference Day*. Later, students of *Waialua High & Intermediate School Class of 2003* cleaned *Puuiki Cemetery* for their community service project and received honorary citizen certificates from former *City Councilmember Rene Mansho*. The *Korean Chamber of Commerce* later participated by organizing a cemetery cleanup with an emphasis on the *Korean* section of *Puuiki Cemetery*. From then, community members such as *Dwight Ishiguro, Mike Muira, Friends of Waialua Town* and others contributed greatly to the caring of *Puuiki Cemetery*. The bottom line is that we've all contributed to *Malama Puuiki Cemetery* despite ongoing vandalism and desecration.

A significant part *Hawaii Revised Statutes (HRS 117-1107)* originated from *Puuiki Cemetery* with former *Representative Alex Santiago* introducing HB 2809 during the *1998 Legislative Session* and later revived by *Representative Michael Magaoay* during the *2002 Legislative Session* as HB 2387 that became *ACT 198*.

Amending *HRS 117-1107* as contained in SB 2134 would add clarification to the current language regarding "*Negligent*" versus "*Intending*." Informational attachments are included with this testimony. Additionally, SB 1973 would apply to cemeteries statewide which includes *Puuiki Cemetery*. As a past member who served on the *Oahu Island Burial Council (OIBC)*, SB 2134 parallels the *Kuleana* of protecting *Iwi Kupuna* and *Ancestral Remains* of all origin.

Thank you for the opportunity to provide testimony strongly supporting SB 2134. *Malama Iwi Kupuna*.

Thomas T Shirai Jr  
Mokule'ia, Waialua

## Honor thy ancestors



Thomas Shirai Jr. walks through brush at Waialua's Puuiki Cemetery. Shirai has led efforts to clean up the cemetery, which had been neglected and vandalized.

# Waialua residents restoring old cemetery

**By Gene Kaminer**  
 Waialua — While walking Puuiki Cemetery, 14 months ago in four corners of his great-grandfather's grave, Thomas Shirai Jr. was led by a young boy to a recently unearthed system of the ground.

Shirai, now 67, had been searching for a long time by accident to the old Puuiki graves. Shirai said the ground beneath the gate had been dug out.

"I don't know what I saw," Shirai said. "The cemetery would be a good place for Puuiki."

"There are old traditions

of the people who made this cemetery what it is today. It's a good place. It's a good place."

To preserve the history of the old cemetery, Shirai spoke to the neighborhood board and other groups. Shirai wants a major cleanup and repairs and create a memorial garden for the cemetery.

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## Vandals Desecrate Old Puuiki Cemetery Graves

Dozens of graves and tombstones are being desecrated by vandals at the old Puuiki Cemetery in Waialua. A large steel gate locked 24 hours a day fronting the road leading into the cemetery has not helped keep trouble away. One angry local descendant with of family buried there for decades brought up his concern to the North Shore Neighborhood Board. Thomas Shirai Jr., said he is sick to his stomach after he goes to pay pay his respects to family members buried there since 1935, seeing graves plumaged and headstones broken and pieces stolen. Shirai said items of value are stolen for drug money. He said he has called police but nothing is being done. When asked by board member Jake Ng what could be done, Shirai, Jr. replied, "I don't know! I'm willing to participate in some kind of committee."



Thomas Shirai, Jr. expresses his anger regarding acts of criminal vandalism at Puuiki Cemetery(c1998 Barry Markowitz photo)

## North Shore cemetery survives time and erosion only to endure vandalism

BY JESSICA RAYBURN

**F**OR SEVERAL years Thomas Shirai Jr. has been going to Pu'uhiki Cemetery in Waihala to clear weeds and debris off the graves of family members. However, in recent months Pu'uhiki cemetery and the graves sites of his family members have come under attack.

The attack has not come from weather erosion or age, but from vandals. On Sat., Jan. 25, Shirai was tending the graves of his great uncle when he heard the sound of male voices.

Shirai followed one of the boys to the edge of the cemetery and found several tombstones had been pushed over and cracked. One tombstone in the shape of a cross had been pulled out of the ground and struck several times with a blunt object.

"That one really got to me," said

Shirai. "Maybe because that grave was right next to that of my great-grand uncle."

Over the past couple of months Shirai has noticed other vandalism.



Several gravesites at Pu'uhiki Cemetery in Waihala have been vandalized in recent months. Tombstones have been pushed over and in some cases struck with hammers.

gravesites, and has taken pictures of teenage boys actually vandalizing the graves. Armed with this information, he contacted the police and filed a report. However, no arrests have been made.

Since the vandalism occurred, Shirai has started a crusade on the North

Shore in an effort to remind the community that the cemetery is still there and needs their help. Shirai has testified to the North Shore Neighborhood Board and has enlisted the help of sev-

eral community groups, schools, churches and State Representative Alexander Santiago who has introduced a bill increasing the seriousness of grave desecration to a class C felony punishable by a \$10,000 fine or five years imprisonment. Currently, anyone

caught desecrating a burial site faces a misdemeanor charge and, if convicted, a minimum sentence of one year in jail and a \$2000 fine.

Pu'uhiki cemetery was established on a sugar cane plantation. Nanette Purnell, director of the Cemetery Research Project, said the cemetery has valuable information helpful in establishing genealogies and it reflects the historical ethnic makeup of the community.

Plantation cemeteries such as Pu'uhiki were never purchased or run by an association like other cemeteries. The people who lived and worked on the plantations cared for them.

"If people have relatives here, they should check the graveyard out," said Shirai. "I just don't want anything worse to happen, and I hope people open their eyes."

Those interested in taking part in a cemetery clean-up can contact Shirai at 808-623-6929.