

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 11:43 PM
To: JDLTestimony
Cc: janella_hung@hotmail.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM
Attachments: HB546 Testimony.doc

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: Janella Hung
Organization: Individual
Address:
Phone:
E-mail: janella_hung@hotmail.com
Submitted on: 4/3/2011

Comments:

TO THE SENATE COMMITTEE OF HUMAN SERVICES
TWENTY-SIXTH LEGISLATURE

Regular Session of 2011

April 4th, 2011

9:00 A.M

LATE TESTIMONY

TESTIMONY ON **HB 546**, RELATING TO CIVIL RIGHTS & GENDER IDENTITY.

TO THE HONORABLE CHAIR HEE and
MEMBERS OF THE COMMITTEE

Aloha, my name is **Halley Hobson**. I am a 17 year old high school student and in strong **opposition** to HB546.

First, this piece of legislation is not a civil rights bill. Transvestites were never forced to sit in the back of the bus, they were never forced to drink from a separate drinking fountain and they have always had the right to vote. Therefore, from common sense realities and legal case tests, gender identity is clearly not a civil rights issue.

This bill is called the Bathroom Bill because it would allow a man to access the women's restroom or locker facility if he was dressed as a woman.

In addition, many call this measure the "Special Rights Transvestite Bill" because this bill gives transvestites extended rights and privileges while setting them apart as a special group. Although this bill gives rights to the disabled and breast-feeding moms, etc. this bill secretly promotes homosexuality in one of the most intimate places: the bathroom. This bill will not only promote an uncomfortable environment but will undermine the privacy rights of individuals as well as having the significant potential of harming our families.

My main reason for opposing this piece of legislation is very personal and is widely shared. What is going to stop a man from dressing up as a woman and having access to our mothers, daughters, sisters, friends; me! Other than a transvestite, a pedophile or sex-offender can freely walk into the Women's restroom at any given time-when dressing up as a women. This is scary and troublesome, especially to a young woman, such as myself.

From what I understand I see no safeguards in protecting me and those I care for.

If this measure is passed, you are opening an uncertain door filled with increased

rapes, kidnappings, etc., and trampling on the crucial concerns of women.

Please protect me and our families by opposing HB546,

Mahalo for taking the time to read/listen my testimony.

Halley Hobson

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 9:15 PM
To: JDLEstimony
Cc: lisay001@hawaii.rr.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: lisa yoshimura
Organization: Individual
Address:
Phone:
E-mail: lisay001@hawaii.rr.com
Submitted on: 4/3/2011

Comments:

I strongly OPPOSE HB546. I am in agreement with Margaret Scow's letter to the Representative in which she stated, "This is not a civil rights issue. It violates business owner's First Amendment rights by prohibiting them from their right to exercise their religion. It would not be wise to expose young children to transgenders in the public schools and it takes away Parental Rights. Please vote NO to HB546 because transgenders are already protected under Hawaii's non-discrimination laws and HB546 would give transgenders special rights, special recognition and put them in a special class while promoting the homosexual/transgender agenda."

LATE TESTIMONY

TESTIMONY ON THE **HOUSE BILL 546**, RELATING TO CIVIL RIGHTS.
To the honorable Chair of the Judiciary Committee, Clayton Hee, and the members of the
Committee

Aloha! My name is **Kylie Gumban**, and I am a 14 year-old high school student and resident of Ewa Beach, Hawaii. I firmly disagree with this bill and oppose it.

I'd like to start off by saying that this is NOT a civil rights issue. Transgenders have the right to vote, be active in politics, etcetera... therefore; this is not a civil rights issue. This bill also undermines the rights of individuals. In SECTION 4. Section 378—2, it says:

“378-2 Discriminatory practices made unlawful; offenses
13 defined. It shall be an unlawful discriminatory practice:
14 (1) Because of race, sex, including gender identity or
15 expression, sexual orientation, age, religion, color,
16 ancestry, disability, marital status, or arrest and
17 court record:
18 **(A) For any employer to refuse to hire or employ or**
19 **to bar or discharge from employment, or otherwise**
20 **to discriminate against any individual in**
21 **compensation or in the terms, conditions, or**
22 **privileges of employment;”**

Employers have the right to hire whoever they want and take into account their religious beliefs. If passed, this bill will violate employers' rights to hire whoever they want.

This also violates parental rights. If this bill is passed, pre-schools, organizations, churches, and such will be forced to hire transgenders. Parental rights will be violated in this way: they will be unable to have a say in who teaches their child. If they do not approve of their child being taught by a transgender due to their religious beliefs, but are unable to do protest against it, then that is a violation of their religious and parental rights. Also, it is very difficult and inappropriate to tell a child the definition of “transgender.”

From my personal point of view, this is also a very dangerous bill. I would not feel safe going into a public bathroom, knowing that a man posing as a transgender could walk in at any given time, and a woman could be in danger of sexual violation. In addition to all this, a pedophile or sex-offender has access to our mothers, daughters, sisters, and friends.

For all these reasons I ask you to **oppose** HB 546. It violates an employer's right to hire anyone they want. In addition to this, it violates religious freedoms, parental rights, as well as individual and family's rights. Thank you for your time and service!

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 11:02 PM
To: JDLTestimony
Cc: aikea2@hawaii.rr.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: oppose
Testifier will be present: No
Submitted by: tau sooto
Organization: Individual
Address:
Phone:
E-mail: aikea2@hawaii.rr.com
Submitted on: 4/3/2011

Comments:

LATE TESTIMONY

Dear Committee on Judiciary

Aloha! My name is Saho Uemura,

Master of Social Work candidate in University of Hawaii at Manoa.

I am in strong opposed of HB242 HD1.

Hawaii needs an effective state statute that focuses on criminalizing not victims of prostitution but perpetrators.

According to TIP report 2010 ¹⁾, 12.3 million adults and children are in forced labor or prostitution around the world. And 56 % of the victims are women and girls. They are not willing prostitutes, but victims of sex-human trafficking, modern day slavery.

This bill would further criminalize women who may be victims of sex-trafficking, as this bill would put them in prison for up to 5 years as a Class C felony.

Section 1, 1(a); Section 2, 1(a); Section 2, 2(a); and Section 712- Habitual

Solicitation of Prostitution Subsection 2(a) and 2(b), if passed, will condemn and

further victimize victims of sex-trafficking with a stamp of approval from the state.

I am urging that the bill be reverted to its original language in HB242 introduced by Prosecutor Kaneshiro as there is no justification for the HD1 version as stated in the House Jud Committee report.

Please either delete the above problematic underlined part from the bill or do not pass this bill for the sake of the victims of sex-trafficking in Hawaii.

Sincerely,

Saho Uemura
Master of Social Work Candidate
University of Hawaii at Manoa

¹⁾ Trafficking in Person Report 2010, U.S. Department of State.
<http://www.state.gov/g/tip/rls/tiprpt/2010/142750.htm#1>

LATE TESTIMONY

From: Thomas Shelton [mailto:change.org]
Sent: Monday, April 04, 2011 8:21 AM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Thomas Shelton
Rocky Face, GA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email

responses@change.org and include a link to this petition.



From: Panagiotis Pentaris [ppentaris@gmail.com]
Sent: Monday, April 04, 2011 8:17 AM
To: JDLEstimony
Subject: Testimony HB546

I write in strong support of HB546. Promote civil rights and social justice. Human beings are meant to be equal, and equal shall be.

--

Panagiotis (Notis) Pentaris, MSW, CPSW, CMSW
The CHOW Project - Social Worker/ Outreacher/ MSW Intern
677 Ala Moana, Suite #246
Honolulu, HI 96813
wk: 808 853 3292
ppentaris@gmail.com
ppentari@my.hpu.edu

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 04, 2011 8:00 AM
To: JDLEstimony
Cc: michelegolojuch@gmail.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Michele Golojuch
Organization: PFLAG-Oahu
Address:
Phone:
E-mail: michelegolojuch@gmail.com
Submitted on: 4/4/2011

Comments:

Please pass this bill as the people of Hawaii need to enact our Aloha Spirit by ensuring that everyone is treated with dignity and respect. This bill is one more step to protect the equal rights of all our people.



LATE TESTIMONY

DEMOCRATIC PARTY OF HAWAII

The Gay, Lesbian, Bisexual and Transgender Caucus

TESTIMONY IN STRONG SUPPORT OF HB546

To: The Senate JDL Committee Senator Clayton Hee, Chair
 Senator Maile Shimabukuro, Vice Chair Senator Les Ihara, Jr.
 Senator Mike Gabbard Senator Sam Slom

The Gay Lesbian Bisexual and Transgender Caucus fully supports the passage of HB546. It was our intent to add "gender identity and expression" as a protected class when we proposed adding "sexual orientation" in 2003. Now is the time to complete that mission.

In 2003 The Gay Lesbian Bisexual and Transgender Caucus proposed adding two protected classes: "sexual orientation" and "gender identity and expression". At that time we were told that if we dropped "gender identity and expression", we would get "sexual orientation" added. Apparently our captains of industry could not solve the "potty problem" – how to accommodate the transgender worker for 10-20 minutes per workday to use the bathroom.

At that time the Hawaii Civil Rights Commission informed us that they included "gender identity and expression" in their definition of "sex". Since the HCRC was protecting the transgendered community through its definition of "sex", we compromised at that time. However, we knew that this was not an acceptable long-term solution: a shift in position by the HCRC Commissioners would eliminate protection for the transgender worker.

After 2003 there was a conscious decision to defer any change in the law until there was a change in administration. We were concerned that the bill might not pass and/or might be vetoed. If we raised the issue and were unsuccessful, we could damage the very people we were trying to protect.

With the change in administration, this is the perfect time to codify the protection. Not only is the current administration supportive of efforts to provide equal treatment under the law, it was swept into office overwhelmingly by an electorate which agreed that "our diversity defines us; it does not divide us."

Mahalo for the opportunity to testify – and for your support on this measure.

Very truly yours,

Lo-Ann M. Adams

LATE TESTIMONY



**Testimony to the Senate Committee on Judiciary and Labor
Tuesday, February 8, 2011
10:00 a.m.
State Capitol - Conference Room 016**

RE: HOUSE BILL NO. 546 RELATING TO CIVIL RIGHTS

Chair Hee, Vice Chair Shimabukuro, and members of the committee:

My name is **Jim Tollefson** and I am the President and CEO of The Chamber of Commerce of Hawaii ("The Chamber"). The Chamber is **not opposed** to the measure but would like to **offer amendments** to the measure.

The Chamber is the largest business organization in Hawaii, representing more than 1,100 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state's economic climate and to foster positive action on issues of common concern.

This measure prohibits discrimination on the basis of gender identity and expression as a public policy matter and specifically with regard to employment.

The Chamber does not oppose the measure but does have concerns as it relates to workplace dress standards. We believe:

- Employers should be able to apply gender-based grooming standards on employees. The employee should have to adhere to either male or female dress code, grooming, and daily habits.
- The employee in question should be held to only one gender and not change back and forth on a day-to-day basis. There should be consistency in the appearance of the employee. For example, if a male pre-school teacher were to dress up as a female one day and not the next, how does that impact the students and how do they address the teacher?
- Bathroom Usage should be clearly identified and adhered to, based on the gender of the grooming standard applicable to the employee. The employer may choose which grooming standard to adhere to if there is any question.

Below is proposed language that we hope you will consider incorporating into HB 546.

Exceptions 378-3:

Nothing in this section shall limit or circumscribe the right of any employer to establish and enforce grooming and dress standards consistent with a particular gender. Employees must present as one gender at work throughout employment and may change gender identification for dress and grooming standards only once throughout employment. Employees will be assigned to changing rooms, locker rooms and bathrooms of the gender applicable for grooming standards unless other options are agreed upon with the employer.

For these reasons, The Chamber of Commerce of Hawaii respectfully requests that the committee incorporate the above—mentioned amendments. Thank you for the opportunity to provide testimony.

LATE TESTIMONY

From: Scott Treinen [mailto:change.org]
Sent: Sunday, April 03, 2011 12:06 PM
To: JDLEstimony
Subject: Please Pass HB546.. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Scott Treinen
Greeley, CO

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



From: Ryan Major [mailto:change.org]
Sent: Sunday, April 03, 2011 10:50 PM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Ryan Major
Bay Area, CA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



From: Peggy Acosta [mailto:change.org]
Sent: Monday, April 04, 2011 3:36 AM
To: JDLEstimony
Subject: Please Pass HB546 . Discrimination Based On Gender Identity and Expression Is Wrong

LATE TESTIMONY

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Peggy Acosta
Womelsdorf, PA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email

responses@change.org and include a link to this petition.



LATE TESTIMONY

From: Melissa Wise [mailto:change.org]
Sent: Sunday, April 03, 2011 3:26 PM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Melissa Wise
Fort Worth, TX

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 9:54 AM
To: JDLEstimony
Cc: shelly4peace@yahoo.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Shelley Hartling
Organization: Individual
Address:
Phone:
E-mail: shelly4peace@yahoo.com
Submitted on: 4/3/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 12:05 PM
To: JDLEstimony
Cc: kahanakitty@gmail.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

Testimony for JDL 4/4/2011 9:00:00 AM HB546

LATE TESTIMONY

Conference room: 016
Testifier position: support
Testifier will be present: Yes
Submitted by: Kahana Ho
Organization: Individual
Address:
Phone:
E-mail: kahanakitty@gmail.com
Submitted on: 4/3/2011

Comments:

Aloha Kākou, to the Esteemed Senator Clayton Hee, Chair, Senator Maile Shimabukuro, Vice-Chair, and Members of the Senate Committee on Judiciary and Labor

My name is Kahana Ho, and I am a life-long resident of Hawai'i, as well as a long-time resident of Nu'uano. As the subject line of this e-mail indicates, I am requesting your support for the passage of HB 546 by the Senate, and wish to explain my reasons for my own support of this potentially landmark bill, and I wish to thank you in advance for taking the time to read my personal testimony in support of HB546, Relating to Civil Rights. I hope that you will vote for and lend your active support to the passage of this bill by both the Committee on Judiciary and Labor, as well as the full Senate.

Before I proceed, however, i wish to request that despite the fact that this is a few hours late, that I be put on the list to testify before your committee in person, on Monday, April 4th.

My support for HB 546 is first based in my general belief in complete civil rights for all people, based on immutable characteristics such as race, sex, sexual orientation, and age. Civil rights are the basis of a civilized society. While not always popular, civil rights are what prevent the masses from oppressing minorities, committing discrimination, and worse, such as social, economic, educational, and political disenfranchisement. Such marginalization can eventually lead to extreme prejudice and hatred, and in the case of gender identity and expression, such is already a reality of life. One of the roles of a truly democratic government in a truly civilized society is to prevent just such oppression, to speak up for, and defend the rights of ALL citizens. Such is the purpose of civil rights laws such as Act 1, Section 5 of the Hawai'i State Constitution, and §368 of the Hawai'i Revised Statutes.

There is strong evidence that gender identity should be included along with the other traditional parameters for equal protection of civil rights. Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else.

Medical research increasingly finds that gender identity is NOT a choice, but is rooted in multiple factors, ranging from prenatal exposure to various chemicals, to brain structure differences, to congenital hormonal imbalances, to sex organ anomalies. These have the effect of creating profound dissonance between the internal, psychological, spiritual gender

identity, and one's external assigned sex. This dissonance is not amenable to psychological treatment. The current standards of care indicate that transition to living in, to gaining maximum congruence with the target gender, that is, the internal, psychic gender, is what leads to the highest level of mental health and functioning. Gender identity is not changeable; only our outward expression, and how we live. Yes, one can choose to live in one's assigned sex, but that leads to such despair, that suicide is often the solution that many transgender people seek. In the end, NOT changing gender is a non-choice.

In addition to these, however, I also have a very personal stake in the passage of this specific bill, that goes beyond the general principles of civil liberties, rights, and equal protections. As a transgender woman in the process of transitioning, I am currently faced with some very real challenges in one of the most major steps of transitioning into life in my true gender. I need to find gainful employment, but all my previous work history, and educational history not only reflects my previous name, but my previous "assigned sex," as well.

As you well know, the process of obtaining employment requires verification of work history, and educational history. Both of these require an inquiry, based on the name of the applicant. My previous employers can readily confirm my employment in my former name, and will invariably do so by saying the "Mr. So-and-so was employed from 1989-2003". My gender will come up as a matter of course, in the free use of gender specific pronouns, and this can cause problems with any prospective employer. Likewise, my educational background includes attendance at a local all-male school. To list that on my job application or in my resume; is a guaranteed flag as to my transgendered history. Unfortunately, without the protections afforded under HB546, there is absolutely nothing preventing my true merits, skills, knowledge, and other objective qualifications from being summarily discounted for the simple reason of my gender identity.

Additionally, I have experienced discrimination in medical services, having been denied health care insurance to cover psychotherapy, hormone therapy treatment, and surgery, simply because it is legal to deny coverage for transgender-related medical services, despite the fact that such services and access to medical insurance coverage has been advocated by the World Professional Association for Transgender Health, an international organization that is at the forefront of transgender health care.

For many of the transgender population, these two discriminatory aspects, employment, and health care, have profound effects on their success in gaining true gender congruency, a matter that often has life-or-death meaning. Approval for surgical intervention often hinges on successful adaptation to living in one's target gender; however, when faced with workplace discrimination on the basis of gender identity, this becomes a veritable impossibility. Lack of health insurance leads many, if not most of us to use all our life savings to pay for costs that can easily surpass \$100,000 dollars, over the course of several years. Some, perhaps many, are driven into marginalized employment, such as the sex industry. Countless transgender people face the threat of homelessness because of loss of employment.

In addition to these significant effects, while attending Nu'uano Elementary School, St. Theresa's School (on School Street), as well as St. Louis High School, I was subject to frequent emotional, mental, and physical abuse on the basis of my subtle, but apparent failure to fulfill the "traditional" stereotypical male gender role expressions. Daily harassment on the playground, in the restroom, and off campus were a fact of life for me. Unfortunately, it was part of what drove me to drug and alcohol addiction, but I am proud to say that as I gradually claimed my identity as a woman, despite all the prejudice, assaults, and discrimination, I also found that I increasingly was free of my addiction, and today I am, despite being unemployed, and unable to get insurance to cover my ongoing treatment for gender transition, clean and sober.

I am not alone in my experiences. The National Center for Transgender Equality recently released a report that found that discrimination is a significant aspect of life for transgender people. In the most comprehensive study done so far, a survey of 6450 people who self-identified as gender non-conforming found that they were, in comparison to the general population:

300% (FOUR times) times more likely to live in extreme poverty, with household income under \$10,000;

50% the respondents indicated experiencing harassment or other mistreatment in the workplace;

26% reported losing a job due to being transgender or gender non-conforming; all this, and other factors leads to

41% reporting having attempted suicide at least once in their life, compared to 1.6% of the general population (I myself attempted suicide at least three times with regard to barriers I have encountered in my gender transition).

These shocking statistics do not even address discrimination in medical care (which I have personally experienced), housing, education, and public accommodations.

Given this overwhelming evidence of disparate effects of current laws on transgender people, it is clear that something must be done to address this. To this end, I respectfully ask that you support HB546, Relating to Civil Rights, in the name of true equality.

If it is at all possible, I would welcome and appreciate the opportunity to speak with you personally to answer any questions you may have regarding this issue, as well as to simply put a personal face to this request.

Mahalo ā nui loa, ā me
ke aloha pūmehana,

Kahana Ho
kahanakitty@gmail.com

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 1:52 PM
To: JDLEstimony
Cc: ehrhornp001@hawaii.rr.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Erick Peter Ehrhorn
Organization: Individual
Address:
Phone:
E-mail: ehrhornp001@hawaii.rr.com
Submitted on: 4/3/2011

Comments:

I hope you pass this. While I don't know many people with gender identity problems I know they exist. Kim Coco is one, and a prior head of the libertarian party of Hawaii is another, These people should not be discriminated against and should be allowed to live fulfilling lives without threat of discrimination or threats of violence.

LATE TESTIMONY

JDLTestimony@Capitol.hawaii.gov

Bill number: **H.B. 546**

Committee: **Senate Judiciary and Labor Committee**

Monday, April 4, 2011

09:00 A.M to completion

Conference Room 016

State Capitol

415 South Beretania Street

Judiciary Chair and Committee Members,

I am writing of **support** of HB 546, relating to Civil Rights. This bill will equal treatment under state law for insure that gender identify and expression are protected in the workplace.

Equality cannot be compromised. Passing the bill provides equal treatment for all at their workplace. Please allow equal protection under the law and have HB546 pass your Committee as soon as possible.

Thank you for listening and I know you will do what is right for all the people by pass this anti-discrimination bill.

Sincerely

Mike Golojuch, Sr., Lt Col, USAF (Ret)

92-954 Makakilo Drive #71

Kapolei, HI 96707-1340

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 2:29 PM
To: JDLTestimony
Cc: thirr33@gmail.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Arvid Youngquist
Organization: The Mestizo Association
Address:
Phone:
E-mail: thirr33@gmail.com
Submitted on: 4/3/2011

Comments:
Chair, JDL Committee
Honorable Members of the JDL Committee

We support HB 546 Relating to Civil Rights.

Mahalo,

Arvid Youngquist
Founder/Editor
The Mestizo Association
Kalihi Valley resident

U N I V E R S I T Y O F H A W A I I A T M A N O A

LGBT Student Services Office

LATE TESTIMONY

To: Chair Clayton Hee
Committee: JDL
Room: 016
Hearing Date: April 4, 2011 9:00:00 AM

From: **Camaron Miyamoto, contact person**
UH System-wide Commission on the Status of LGBTI Equality
UH Manoa, LGBT Student Services

IN SUPPORT OF HB 546: relating to civil rights

Chair Hee and members of Senate Committee of the Judiciary.

Mahalo for this opportunity to submit testimony in strong support of HB 546. While my statement is not the official stance of the university, my opinion is based on qualitative and quantitative data I have collected and my professional experience as UH Manoa faculty, Coordinator for the office of Lesbian, Gay, Bisexual and Transgender (LGBT) Student Services, and staff/administrative liaison to the UH President's System-Wide Commission on the Status of LGBT Equality (representing members of all 10 UH campuses).

The University of Hawaii Board of Regents has already approved and adopted protections on the basis of "gender identity and expression" in the University of Hawaii administrative rules (E1.102 and A9.920). This covers admission, participation in, and access to all programs and services in the University of Hawaii System—these rules include employment protections. In my professional capacity at the university, I have not learned of any negative impact to our University of Hawaii System for enacting a policy of non-discrimination that protects individuals on the basis of "gender identity and expression."

This decision was made after a multiple-year process of research and data collection between my office (LGBT Student Services), the UH Equal Employment Opportunity Office, the UH Manoa Gender Equity Advocate, and consultation with the University of Hawaii General Counsel, UH President Senior Management Team, the UH Council of Chancellors (Chancellors of each of the 10 UH campuses), union representation, and student affairs administration.

Students continue to share that as a transgender individuals, it is important to secure protections based on "gender identity and expression" because it reflects the University commitment and goal of establishing a "Hawaiian sense of place". Without these stated protections, the many members of our "Mahuwahine" campus community are not fully respected nor properly addressed by effective policy or practices.

I urge the Senate to follow the precedent set by decision-makers at all levels of the University of Hawaii System by voting **IN SUPPORT OF HB 546**. Mahalo plenty.

###

2600 Campus Road, Queen Lili'uokalani Center for Student Services 211-C, Honolulu, Hawaii'i 96822-2205
Telephone: (808) 956-9250, Facsimile: (808) 956-9314, Email: LGBTQ@hawaii.edu

An Equal Opportunity/Affirmative Action Institution

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 5:06 PM
To: JDCTestimony
Cc: keolabear@hotmail.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Keola Akana
Organization: Individual
Address:
Phone:
E-mail: keolabear@hotmail.com
Submitted on: 4/3/2011

Comments:

Please pass HB 546 which clarifies that gender identity and gender expression is a protected class about which people should not be discriminated about. Mahalo.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, April 03, 2011 6:10 PM
To: JDLEvidence
Cc: kauaiboy4200@aol.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM
Attachments: HB546.wps

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Joseph A. Savino
Organization: Individual
Address:
Phone:
E-mail: kauaiboy4200@aol.com
Submitted on: 4/3/2011

Comments:

Testifier: Janella N. Hung
Bill Number and Title: HB 546 RELATING TO CIVIL RIGHTS
Committee: Senate Committee on Judiciary and Labor
Hearing Date: Monday, April 4, 2011
Hearing Time: 9:00 a.m.
Hearing Location: Conference Room 016

LATE TESTIMONY

Senate Committee on Judiciary and Labor,

As a parent of three children, I am very **concerned** about any legislation that gives special protection to people based on "gender identity or expression". Gender identity or expression should not be included as a category given special protection of civil rights.

First, HB 546 includes a person's "**perceived** gender" as part of the definition of gender identity or expression that should be protected from discrimination. The New International Webster's Family Dictionary of the English Language defines perceive as "to become aware of (something) through the senses." It is a well known fact that it is possible to deceive one's senses. For example, on a hot day, if a person was to take a hot shower, when he emerged from the shower, he would feel cooler than if he had taken a cold shower because of the water evaporating off of his skin (due to its temperature being higher than the room temperature) – thus "fooling" his senses into thinking he is cooler. Therefore, "perceived gender" must not be given special protections and rights since it is not an identity based on FACTS, but instead is based on perception, which is only as reliable as the senses.

Second, HB 546 gives no exemption for religious institutions. The Hawaii State Constitution, Article I, Section 4, states that "No law shall be enacted respecting an establishment of religion, **or prohibiting the free exercise thereof.**" Yet, under HB 546 all religious institutions and religiously affiliated organizations would not be allowed to deny employment to any person whose gender identity or expression was "different from that traditionally associated with the person's sex at birth." The concept of changing one's gender, whether in deed or in expression, is in direct conflict with the core Christian beliefs that God creates every individual exactly the way he is and makes no mistakes, including the assigning of his gender. Therefore, to add gender identity or expression as a group protected for civil rights, and not allow for a religious exemption, is simply unconstitutional because it would clearly prohibit the free exercise of the religion.

Third, I am especially concerned with legislation that would make it illegal to deny public accommodations, such as rest rooms and other sex-specific spaces, to a person based upon what sex they PERCEIVE themselves to be. If HB 546 is enacted, this law would elevate a few individuals to the status of a protected class, rather than treating all citizens the same. In addition, a person's PERCEIVED gender or gender-related EXPRESSION should not be given special rights. This is DISCRIMINATORY against all other persons.

Finally, as a parent, this is a public safety concern because it creates **legitimized access** into public restrooms and gym locker rooms by predators to women and children. These are places where an entitlement to privacy has always been a traditional right. HB 546 can be used by a predator to masquerade as someone he is not for the sole purpose of gaining access to places where women and children feel reasonably safe. This **unintended consequence** poses such a great risk to children and women that I beseech you, the Senate Committee on Judiciary and Labor, that as public servants, ones charged with guarding the safety and well-being of our state, that you oppose HB 546.

Thank you for your time and I look forward to hearing from you.

Sincerely,
Janella Hung
1548 Ala Aolani Street
Honolulu, HI 96819

From: mailinglist@capitol.hawaii.gov
Sent: Monday, April 04, 2011 1:51 AM
To: JDLTestimony
Cc: hrhsf@me.com
Subject: Testimony for HB546 on 4/4/2011 9:00:00 AM

LATE TESTIMONY

Testimony for JDL 4/4/2011 9:00:00 AM HB546

Conference room: 016
Testifier position: support
Testifier will be present: Yes
Submitted by: Hector Hoyos Jr. (a.k.a.) HRH-SisterFace
Organization: Individual
Address:
Phone:
E-mail: hrhsf@me.com
Submitted on: 4/4/2011

Comments:
The Senate Judiciary & Labor Committee Of Hawaii

Thank You For Your Time,

Chairman Senator Clayton Hee & The Good Senators Of Committee

I, Hector R. Hoyos Jr. Gay & Civil Rights Activist & Victim Of Work Place
Discrimination Based On My Sexual Identity/Being.

*** Support Bill HB546 ***

It's no small wonder that work places for LGBT community members have not always been good, matter a fact. I have noticed since I've been here 7 and 1/2 years that there is an alarming amount of not just harassment of sorts but much gay attacks on people at there job places people who have different identities/gender expression. My friends tell me here that they have just gotten use to it over the years. I ask them how could you put up with your employer or the employees doing that to you. Most say, because they need there jobs, It's alarming. All the years I have been thru much gay bullying, but have always been able to defend my self or be lucky to just get out of it. Since my later 30's now it has been easier & I have spent many years fighting for peoples Civil Rights. I helped advocate in Washington D.C. & other east coast lobbying for change and of treatment of LGBT employees to have the rights of everyone else. After D.C. & Baltimore, Philly, New York I kept going for it. Linking to other cities enlisting, meeting many people that had much more horror then I went thru at that time. Anyway you put it hate crimes and employee treatment is being dealt with much more aggressive on the mainland. It is time for Hawaii to be at our countries best in providing protections and pathways for LGBT community members to report and deal with there managers or supervisors or other employees harassing, retaliation, threatening, bullying because of a person appearance, sexual identity, there mannerisms, or talking down or degrading some one because of who they are or have become. You on the Committee know what it is like growing up as a child right. For many finding themselves, being who they really are and choosing to live there life the way the should. Should not be anyones concern or give any reason for work place violence, harassment, or bullying in the work place. Most of us have enough issues dealing with our own acceptances. No one should

have to worry about there jobs if they are faithful good performing honest employee that works hard , if there LGBTQ or straight, any color or appearance...

Personally for the last 2 years now going on still not finished. I have been involved with a bitter very bitter exhausting work retaliation, civil rights, sexual identity case with my now ex-employer (The Yard House) A huge California based beer & food chain off the newer Lewers St. area in Waikiki. I was a very energetic over the top employee. Always written up by secret shoppers and customers with there best comments & reports. I excelled at marketing and coming up with all there local promotions. I became Front Desk Trainer quickly and set the standards for many, There favorite voice at there front of house. I loved everyone and everyone loved me, loved my job and the big success of this place I worked for. Short time after working for Y.H. two lady employees reported some very serious issues concerning them and sexual harassment from Manager. I was forced to go to the Supervisor and report these issues to him both times. Its is my job and well, i'm human & I care. I was a supervisor to them also. Not long after I helped them and all was, I thought normal. My General manager after I was attacked and threatened & almost burned by sizzling oil filled pan and a huge butcher knife cornered in the kitchen while the chef was spurting FAGGOT FAGGOT!!! i'm going to kill you while I tried eating breakfast. All this truly happened and was quite traumatizing to my mind, still is this that happened to me at work. I was so afraid I asked to leave for the day, but decided to stay for there was no extra help this day. So I asked Police to be called for report & find out about retraining order. I was told not to do it or the company would be not just mad but over it that the police would come there, ther New Jewel on Lewer's Street. After returning to work 2 days later my General manager then tells me. That Headquarters in Cali. just called to deal with this situation. They fired The head chef that did this to me, but then. That day called me in his office and told me that if I did not. Start acting more like a man and stop being so gay/fairy like and open about yourself & my ways, what i do outside work, Hector or you will go no where in this company. As of now start acting straighter he told me, I could not believe at my age of 37. I was hearing this from a work place & person I worked so hard for. I had a huge future planned, transfer coming to a new store. Only to be crushed because I am not straight enough or manly enough. Too much of a show, he called me a big whistle blower because they had to fire & transfer Asst. Manager for his deeds & now Head Sous Chef.. Not more then 3 months later my career stalled, my transfer to a new Florida store was thru. People where like whats going on, for my own pride I kept it in till they fired me. I then went to Labor Dept. & Civil Rights Dept. The interviewer treated me like I was no victim. More like a criminal. Never the less 2 years long and later I got permission last summer to sue from Civil Rights Commission of Hawaii & EEOC. Yard House decided to want to arbitrate which I not only agreed but, I was always willing to do. Now there stalling me and my Attorney & it all could just still wind up in Hawaii Circuit after all this. Which is fine I believe in our system and Hawaii has been with me it seems since day 1 I lost my job. I just pray and hope you all consider what 100's of even thousands go thru in this state because there gender identity is not accepted or frowned upon. Its all just not fair and there right now taking advantage of the fact Hawaii does not have any law to help my case that much more. The State should be able to fine & punish a company with repeat civil right's offenses. There should be a State list of even what companies that have a very bad track record with civil rights violations & they should be forced into changing policies. Much Love and Spirit with you all on the Senate Committee, Thank You for your time Today

I SUPPORT HB546

Many Thanks For Hearing My Testimony

Thank You Chairman & Good Senators, Much Mahalo's

April 3rd, 2011

2499 Kapiolani Blvd. #3303

LATE TESTIMONY

From: Jess Williams [mail@change.org]
Sent: Monday, April 04, 2011 5:17 AM
To: JDLTestimony
Subject: Please Pass **HB546** .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you **support** HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Jess Williams
Staten Island, NY

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



LATE TESTIMONY

From: Edwin Bonilla [mailto:change.org]
Sent: Sunday, April 03, 2011 3:51 PM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Edwin Bonilla
Manassas, VA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



LATE TESTIMONY

From: Edward Laurson [mailto:change.org]
Sent: Sunday, April 03, 2011 5:15 PM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Edward Laurson
Denver, CO

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



LATE TESTIMONY

From: Diana Ferreira [mailto:change.org]
Sent: Monday, April 04, 2011 5:41 AM
To: JDLEstimony
Subject: Please Pass **HB546** .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you **support** HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Diana Ferreira
Paços de Ferreira, Portugal

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



From: Derek Satterfield [mailto:mail@change.org]
Sent: Monday, April 04, 2011 4:52 AM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Derek Satterfield
conway, AR

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



LATE TESTIMONY

From: heidi wollum [mailto:change.org]
Sent: Monday, April 04, 2011 6:45 AM
To: JDLEvidence
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

heidi wollum
goteborg, Sweden

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



LATE TESTIMONY

From: Bob Ramczyk [mailto:change.org]
Sent: Sunday, April 03, 2011 12:50 PM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Bob Ramczyk
Brown Deer, WI

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.



LATE TESTIMONY

From: Andreia Capelo [mailto:change.org]
Sent: Monday, April 04, 2011 3:41 AM
To: JDLEstimony
Subject: Please Pass HB546 .. Discrimination Based On Gender Identity and Expression Is Wrong

Dear Honorable Legislator,

I am a member of Equality Hawaii and am writing to ask that you support HB 546, a bill that would add gender identity and gender expression as a protected class in Hawaii's employment anti-discrimination laws.

Transgender individuals and those who do not meet rigid definitions of what is "masculine" or "feminine" deserve the right to make a living just like anyone else. Please honor Hawaii's proud tradition of aloha and add this language to our state's laws.

Thank you for your consideration,

Andreia Capelo
Funchal, Portugal

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/hawaii-say-no-to-employment-discrimination. To respond, email responses@change.org and include a link to this petition.

