



Committee: Committees on International Affairs and Human Services  
Hearing Date/Time: Wednesday, April 13, 2011, 2:30 p.m.  
Place: Room 329  
Re: Testimony of the ACLU of Hawaii in Support of H.C.R. 232

Dear Chairs Awana and Mizuno and Members of the Committees on International Affairs and Human Services:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support of H.C.R. 232, which seeks to support implementation of the human rights recommendations from the 2010 United Nations Universal Periodic Review of the United States of America.

The U.S. should heed these recommendations and bring domestic human rights in line with international standards. While we may be among the largest, wealthiest countries in the world, we also continue to tolerate and condone violations of international human rights norms. The U.S. should live to its promise to lead by example and take the UPR recommendations seriously, including those to:

- ensure accountability for not just the interrogators who used torture but also the senior Bush administration officials who authorized it, provide reparations for victims of torture, close Guantánamo and end indefinite detention without charge or trial, and end the discredited military commissions;
- end racial and ethnic profiling by law enforcement, especially with respect to immigration – including termination of the Immigration and Customs Enforcement 287(g) program and halting expansion of Secure Communities;
- impose a federal moratorium on the death penalty as a first step towards nationwide abolition, and address serious flaws in the administration of the death penalty including racial bias, under-funded indigent defense programs, conditions on death row and a lack of full access to federal courts;
- take concrete steps to ratify human rights treaties, especially the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities;

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Reps. Awana and Mizuno, Chairs, INT/HMS Committees  
and Members Thereof

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- take concrete measures to address racial and ethnic disparities in the criminal justice system, including the disproportionate representation of minorities and inhumane prison conditions;
- enhance efforts to address disparities in access to social and economic rights and take concrete and effective measures to ensure that minorities enjoy equal access to quality education, health care and housing;
- establish a national civil and human rights commission by transforming the existing U.S. commission on civil rights into an independent human rights monitoring body; and
- issue an executive order on human rights to effectively and transparently coordinate U.S. follow-up on the UPR recommendations, as well as full implementation of ratified treaties including the Race Convention, the International Covenant on Civil and Political Rights and the Convention against Torture on the federal, state and local levels.

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

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, April 07, 2011 11:52 PM  
**To:** INTtestimony  
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Testimony for INT/HUS 4/13/2011 2:30:00 PM HCR232

Conference room: 329  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Lee McIntosh  
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Submitted on: 4/7/2011

**Comments:**

Madam Chair and Members of the Committee on International Affairs and Mr. Chair and Members of the Committee on Human Services:  
Aloha, my name is Lee McIntosh. I live in Kau on the Big Island. I am not in favor of HCR 232. We are governed by the Constitutions of the United States and of Hawaii, not the UN. The UN Human Rights Council consists of hypocritical member states who fail to implement civil rights themselves. The Legislature should refrain from adopting flawed UN findings, instead adopting real reform in line with our own state and federal Constitutions. You are beholden to the citizens of Hawaii, not the UN. Thank you for the opportunity to testify on HCR 232.