

**SB962**

**Testimony**



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
March 1, 2011

The Honorable Clayton Hee, Chair  
The Honorable Maile S.L. Shimabukuro, Vice Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senators Hee and Shimabukuro and Members of the Committee:

**SUBJECT: SB 962– RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED STATUTES FROM “MENTAL RETARDATION” TO “INTELLECTUAL DISABILITY.”**

The State Council on Developmental Disabilities (DD) **STRONGLY SUPPORTS SB 962**. The purpose of the bill is to change references to “mental retardation” or like terms in the Hawaii Revised Statutes to “intellectual disability” or like terms.

**SB 962 is a housekeeping measure; is not intended to change coverage, eligibility, rights, responsibilities or definitions referred to in the amended provisions; and does not request any appropriation amount.**

On October 5, 2010, President Obama signed S. 2781 into law as Public Law (P.L.) 111-256. This law is also known as “Rosa’s Law” named after Rosa Marcellino, a nine-year old girl with Down’s Syndrome who worked with her mother, Nina, and their state representative who led the effort to pass legislation in Maryland changing the word “mental retardation” to “intellectual disability.”

Rosa’s law replaces the term “mental retardation” with “intellectual disability” in federal education, health and labor laws. The law states that for purposes of the amended statutes and implementing regulations, a reference to an “intellectual disability” shall mean a condition previously referred to as “mental retardation” and a reference to “individuals with intellectual disabilities” shall be a reference to those previously referred to as “individuals with mental retardation.”

The American Association on Intellectual Disabilities and Developmental Disabilities (AAIDD) defines intellectual disability as “a disability characterized by significant limitations both in intellectual functioning and in adaptive behavior, which covers everyday social and practical skills. This disability originates before the age of 18.”

The Honorable Clayton Hee, Chair  
The Honorable Maile S. L. Shimabukuro, Vice Chair  
Page 2  
March 1, 2011

SB 962 follows a national movement led by self-advocates to use people-first language that is less offensive and more respectful, and to eliminate the negative stigma that is associated with the term mental retardation or like terms. The Council has been working with the Self-Advocacy Advisory Council (SAAC) comprised of individuals with intellectual disabilities and the Maternal Child Health Leadership Education in Neurodevelopmental and Related Disabilities (MCH-LEND) program in the movement to remove the “R” word and replace it with intellectual disabilities. SAAC members were overwhelmingly eager to make the change from the terms “mental retardation,” “mentally retarded,” and “retarded” that they consider being hurtful and offensive, to a term “intellectual disabilities” that is considered to be more positive and respectful to them.

SB 962 seems to be such a simple measure to remove the term “mental retardation” and like terms and replace it with “intellectual disabilities.” Moreover, its outcome would be significant and have far reaching effects in:

- 1) Moving in the right direction in keeping with P.L. 111-256
- 2) Changing how we refer to individuals with intellectual disabilities
- 3) Promoting more respectful and people-first language
- 4) Promoting positive attitudes and perceptions of individuals with intellectual disabilities
- 5) Eliminating the negative stigma associated with mental retardation or like terms
- 6) Treating individuals with intellectual disabilities with greater dignity and respect

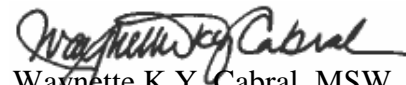
**The Council emphasizes Section 17 on Page 9, lines 12-14, as stated, “This Act is not intended to change coverage, eligibility, rights, responsibilities or definitions referred to in the amended provisions.”**

We applaud the Legislature’s initiative through SB 962 that recognizes that individuals with intellectual disabilities are people first, and that they have the right to be included and respected in society.

Thank you for the opportunity to present testimony in **strong support of SB 962.**

Sincerely,

  
Liz Ann Salvador  
Chair

  
Waynette K.Y. Cabral, MSW  
Executive Administrator



STATE OF HAWAII  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
KAUAI OFFICE  
3060 EIWA STREET, ROOM 207  
LIHUE, HAWAII 96766  
TELEPHONE: (808) 274-3484  
FAX: (808) 274-3485

March 1, 2011

The Honorable Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, HI 96813

SB 962-RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED  
STATUTES FROM "MENTAL RETARDATION" TO "INTELLECTUAL  
DISABILITY"

Dear Senator Hee and Members of the Committee:

My name is Eleanor Doi, Program Specialist submitting testimony in strong support of SB 962 on behalf of the Kauai Developmental Disabilities Committee.

Amending the word "mental retardation" to "intellectual disability" is the best suggestion we've heard in a long time. The term "mental retardation" is demeaning to people with cognitive challenges that need to be viewed in a new light. The term "intellectual disability" is a better term to describe individuals and would certainly take out words that can be so hurtful them.

The word "retard" in Webster's Dictionary means, "To slow the progress of: delay". In our society today the word is often abused by people, and used in a demeaning way to others, making the true meaning of the word forgotten. For the sake of those of us in our society with "delays" thank you for changing the "R" in our vocabulary.

We appreciate the opportunity to submit written testimony. Thank you so much for hearing the bill and ask that you support the passage of **SB 962**.

Sincerely,  
Eleanor Doi  
Program Specialist



**STATE OF HAWAII**

**STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES**

MAUI OFFICE  
54 HIGH STREET, THIRD FLOOR  
WAILUKU, HAWAII 96793  
TELEPHONE: (808) 984-8218  
FAX: (808) 984-8242

March 1, 2011

The Honorable Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

**SB 962 – RELATING TO CHANGING REFERENCES IN THE HAWAII  
REVISED STATUTES FROM “MENTAL RETARDATION” TO  
“INTELLECTUAL DISABILITY”.**

Dear Senator Hee and Members of the Committee:

Aloha, my name is Mary Matsukawa. I am staff to the Maui Developmental Disabilities Committee, a standing subcommittee of the Hawaii State Council on Developmental Disabilities. Thank you for this opportunity to testify in strong support of **SB 962**.

Our committee would like to change the Hawaii Revised Statutes by removing the term “mental retardation” or like terms wherever it appears and replacing it with the terms “intellectual disabilities” or like terms.

We feel this change will update the language currently used in State statutes and remove a term from Hawaii law that has often been used in a derogatory and demeaning manner.

Language is important and we feel the word “retard” now carries a negative stigma in our vocabulary. We feel SB 962 will change attitudes and promote that individuals with intellectual disabilities be treated with dignity and respect. We support the intent of the bill to change only the terms used and not change coverage, eligibility, and/or definitions referred to in the sections of the law being amended.

The Honorable Clayton Hee

Page 2

March 1, 2011

The changes we are supporting are in keeping with the new federal law (Public Law 111-256 also known as Rosa's law) signed by President Obama on October 5, 2010 that changes the language used in federal health, education, and labor laws from "mental retardation" to "intellectual disabilities."

We are excited about this opportunity to change our State language to reflect the forward thinking of the Federal Language.

Sincerely,

Mary Matsukawa

Program Specialist

**From:** [Miyasaka-Gushiken, Deborah L.](#)  
**To:** [JDLTestimony](#)  
**Subject:** E-mail 2 of 3 - Testimony (from 4 individuals) for JDL Hearing - Tues., March 1, 9:00 a.m. RE: SB 962 - Relating to Changing References in HRS from "Mental Retardation"  
**Date:** Sunday, February 27, 2011 4:43:04 PM  
**Attachments:** [SB 962 Testimony 4 Individuals D-M JDL 3-1-11.pdf](#)

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Dear Senate Committee on Judiciary and Labor:

Please see attached .pdf file for four testimonies for SB 962 – Relating to Changing References in the Hawaii Revised Statutes from “Mental Retardation” to “Intellectual Disability” for the JDL hearing on Tuesday, March 1, 2011 at 9:00 a.m. from the following four individuals who asked the DD Council for assistance with delivering their testimony for the hearing:

1. Sol Ray Duncan
2. Bathey Fong
3. Ryan Ho
4. April Mira

Thank you for the opportunity to provide testimony.

*Debbie*

Deborah Miyasaka-Gushiken, MSW, LSW  
Hawaii State Council on Developmental Disabilities  
919 Ala Moana Blvd., Rm. 113, Honolulu, HI 96814  
Ph. (808) 586-8100 Fax:(808) 586-7543  
E-mail: [deborah.miyasaka-gushiken@doh.hawaii.gov](mailto:deborah.miyasaka-gushiken@doh.hawaii.gov)  
Website: [www.hiddc.org](http://www.hiddc.org)

**TESTIMONY IN STRONG SUPPORT**  
**SB962**  
**Senate Committee on Human Services**  
**Hearing : February 10, 2011 1:45 PM Conf Room 16**

To: The Honorable Suzanne Chun Oakland,  
Chair, Senate Committee on Human Services  
Twenty-Sixth Legislature State of Hawaii  
State Capitol  
Honolulu, Hawaii 96813

From: Thomas and Gloria Huber  
46-291 Auna Street  
Kaneohe HI 96744  
Contact: 808 235 1437 [hubert001@hawaii.rr.com](mailto:hubert001@hawaii.rr.com)

Re: SB 962  
RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED STATUTES  
FROM “MENTAL RETARDATION” TO “INTELLECTUAL DISABILITY”.

Dear Senator Chun Oakland and Members of the Committee:

We are in **STRONG SUPPORT** of SB 962, which would follow the lead of the U.S.Congress (“Rosa’s Law”) and the guidance of all major advocacy groups for people with intellectual disability by changing all references in Hawaii law from “mental retardation” to “intellectual disability.”

Indeed, the movement towards a less pejorative term was begun by individuals with intellectual disabilities and their own self-advocacy groups, who explained that the old term had become demeaning and dismissive. Even their advocates resisted at first, saying that a change of language was necessary, but that “the laws” required the hurtful terminology. “Change the words and change the law”, they responded. And why not? The time has come!

Thank you for the opportunity to testify.

We are confident that the Legislature of the State of Hawaii will respect the feelings and dignity of its citizens with intellectual disabilities just as it has striven to provide meaningful support and services for them.



Sarah Ahina  
84-757 Kiana Pl. Unit 11A  
Waianae, HI 96792  
March 1, 2011

Senator Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State of Hawaii  
Honolulu, HI 96813

RE: SB 962 — Relating to Changing References in the Hawaii Revised Statutes from  
“Mental Retardation” to “Intellectual Disability.”

Dear Senator Clayton Hee, Senator Maile S.L. Shimabukuro, and Members of the  
Committee:

My Name is Sarah Ahina. Thank you for hearing this bill and for the opportunity  
to tell you that I am in **strong support of SB 962**.

When I was a little girl, my family did not know how I was doing in school. I was  
having a hard time with my schoolwork, my reading, and other schoolwork. My friends  
were passing the grades and I was left behind. I felt sad.

All my teachers were wondering how come Sarah is having a hard time with her  
schoolwork. All of my friends were calling one another “retarded”, “stupid”, and  
“mental”. My cousins called me all kinds of names that hurt me: “lolo”, “mentally  
retarded”, “stupid retarded mental case”, and “special-ed class”.

So it would be good if you changed the “mental retard” word to “intellectual  
disability.”

Mahalo Nui Loa,  
Sarah Ahina

Jonathan Ahina  
84-757 Kiana Pl., Unit 11A  
Waianae, HI 96792  
March 1, 2011

Senator Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State of Hawaii  
Honolulu, HI 96813

RE: SB 962 — Relating to Changing References in the Hawaii Revised Statutes from  
“Mental Retardation” to “Intellectual Disability.”

Dear Senator Clayton Hee, Senator Maile S.L. Shimabukuro, and Members of the  
Committee:

My Name is Jonathan Ahina. Thank you for the opportunity to tell you that I am  
in **strong support of SB 962.**

I joined the Self-Advocacy Advisory Council (SAAC) in April 2009 and help out  
with the responsibility of my wife, who is President for SAAC and a member of the  
Developmental Disabilities (DD) Council and SAAC. My position in SAAC is being  
treasurer. One of the activities is to raise money by recycling cans and bottles for SAAC.  
I also attend day programs at Easter Seals.

I share strong feelings to remove the “R” word and replace it with “Intellectual  
Disability.”

Thank you,  
Jonathan Ahina

Lani Bartholomew  
83 Kihapi St. Apt. # 204  
Kailua, HI 96734  
(808) 861-7276

March 1, 2011

Senate Committee on Judiciary and Labor  
Senator Clayton Hee, Chair  
Senator Maile S. L. Shimabukuro, Vice Chair

Dear Senator Hee, Senator Shimabukuro and Members of the Judiciary and Labor Committee:

**SB 962– RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED STATUTES FROM “MENTAL RETARDATION” TO “INTELLECTUAL DISABILITY”.**

My name is Lani L. Bartholomew. Thank you for the opportunity to tell you that I strongly support SB 962-Relating to Intellectual Disabilities.

When I went to Kaimuki Intermediate School I was in special education. I was called mental retarded, stupid, dumb, and retard. They even threw things at me, spit at me, teased me and called me names. They would grab my bag and take my bus tickets and throw things on the ground. The bullies would run by me and lift my dress. They were mean to me and I didn't like it. I felt ashamed and hurt. I even cried.

Thank you for taking time to listen to me and for reading my testimony.

Love,  
Lani L. Bartholomew

Ben S. Dalavidao II  
P.O. Box 373  
Papaikou, HI 96781  
Phone: (808) 964-2059

March 1, 2011

Senator Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
State of Hawaii  
Twenty-Sixth Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Re: SB 962—RELATING TO CHANGING REFERENCES IN THE HAWAII  
REVISED STATUTES FROM "MENTAL RETARDATION" TO  
"INTELLECTUAL DISABILITY".

Dear Senator Hee and Members of the Committee:

My name is Ben S. Dalavidao and I live in the Big Island with my parents. I have been a Developmental Disabilities Council member since May 2008.

I strongly support SB 962 relating to changing the "R" word from "mental retardation" to "intellectual disability".

My feelings are hurt each time retardation is mentioned or someone calls me retarded. Please be sensitive and urge your members to support SB 962, too.

Thank you for your help.

Sincerely,  
Ben S. Dalavidao II

Sol Ray Duncan  
1174 Waimano Home Rd.  
Pearl City, HI 96782

March 1, 2011  
Senator Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State of Hawaii  
Honolulu, HI 96813

RE: SB 962 — Relating to Changing References in the Hawaii Revised Statutes From “Mental Retardation” to “Intellectual Disability.”

Dear Senator Clayton Hee and Members of the Committee:

My Name is Sol Ray Duncan. Thank you for the opportunity to tell you that I am in **strong support of SB 962.**

It should be passed to respect people with these differences. Thank you for hearing this bill.

Sincerely,  
Sol Ray Duncan

Bathey Fong  
1809 Bachelot Street  
Honolulu, Hawaii 96817  
March 1, 2011

Senator Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
State of Hawaii  
Twenty-Sixth Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Re: SB 962 – Relating to Changing References in the Hawaii Revised Statutes from “Mental Retardation” to “Intellectual Disability”.

Dear Senator Hee and Members of the Committee:

My name is Bathey Fong of Lanakila Pacific Inc.

I am in **strong support of SB 962.**

I hated when they were calling me handicap and retarded. They said that I couldn't read because I was retarded. They always tease me the way I walked too. They made me feel mad and upset when they called me retarded. Please pass the bill so they cannot call me retarded anymore.

Thank you for your time.

Sincerely,

Bathey Fong

Ryan Ho  
1809 Bachelot Street  
Honolulu, Hawaii 96817

The Honorable Senator Clayton Hee, Chair  
Senate Judiciary and Labor Committee  
Twenty-Sixth Legislature  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: SB 962 – RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED STATUTES FROM “MENTAL RETARDATION” TO “INTELLECTUAL DISABILITY”.

Good afternoon Senator Hee and Members of the Committee.

My name is Ryan Ho of Lanakila Pacific Inc.

Thank you for the opportunity to tell you that I am in **strong support of SB 962.**

I don't like when someone calls me Mentally Retarded. It makes me feel sad, and it makes me go bananas. It feels bad to even hear the word M.R.

Sincerely,

RYAN HO

Ryan Ho

April Mira  
1174 Waimano Home Rd., #207  
Pearl City, HI 96782

March 1, 2011

Senator Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State of Hawaii  
Honolulu, HI 96813

Re: SB 962 — Relating to Changing References in the Hawaii Revised Statutes  
From “Mental Retardation” To “Intellectual Disability.”

Dear Senator Hee and Members of the Committee:

My Name is April Mira. Thank you for the opportunity to tell you that I am in **strong support of SB 962.**

When I was 8 years old, people used to tease me and call me “mentally retarded”, “you retard”, “you mental”, “you stupid”, and “dumb”. Kids used to tease me a lot and it made me feel uncomfortable. It was very hurtful and I cried a lot and did not want to go to school any more. I used to run away, cry in the corner at school. The kids at school tried to fight me, throw food and water at me, spit at me, and throw rubbish at me. I am now afraid to go out by myself.

Now when I see other people who have a disability, I do not tease, I help them. If this bill passes, I will be happy for the change and for the kids now that have a disability so they don't get teased in the future and aren't afraid like me.

Thank You,  
April Mira



Michelle Muralt  
1809 Bachelot Street  
Honolulu, Hawaii 96817

Senator Clayton Hee, Chair  
Senate Judiciary and Labor Committee  
Hawaii State Capitol  
Honolulu, Hawaii 96813

Re: SB 962 – Relating to Changing References in the Hawaii Revised Statues from  
“Mental Retardation” to “Intellectual Disability”.

Good afternoon Senator Hee and Members of the Committee.

My name is Michelle Muralt of Lanakila Pacific Inc. and I am in **strong support of SB 962.**

I don't like it when people calling me Mental Retarded. It makes me mad and it makes me sad. I want people to respect me so I can respect them too. And it makes me want to cry because they call me M.R.

I want the bill to pass because so the Retarded word will not be used anymore.

Thank you.

Sincerely,

*Michelle Muralt*

Michelle Muralt

Debbie Rivers  
2790 Kahaloa Drive, #802  
Honolulu, HI 96822

The Honorable Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

March 1, 2011

SB 962-RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED  
STATUTES FROM "MENTAL Retardation" TO "INTELLECTUAL DISABILITY".

My name is Debbie Rivers. I am a person with depression and anxiety disorder, and I also have cerebral palsy. As a long-time member of the State Council on Developmental Disabilities and a person with a disability, I am here today to provide testimony in strong support of SB 962 to get rid of the "R" word and replace the label of mental retardation with intellectual disability.

Throughout my life I have heard the word "mental retardation", "retarded", "mental". Some people assume that I am less than others. I have been called "mental" many times and it really hurts my feelings and it has many negative connotations to it. These words that I have mentioned have become part of every day language in conversation, jokes, even part of the dictionary, and laws. There are many words that are in our history such as the "N" word, the "F" word, and unfortunately we all know what these words are referring to. But there have been positive changes such as people being referred to as Afro American or to give a local example, the Shriner's Hospital. Shriner's Hospital finally changed their name to Shriner's Hospital for Children. Every time I would pass Shriner's in the past, the word crippled made me cringe and sad because they are just kids that need help with their orthopedic conditions. With the new construction of the hospital came the positive change from crippled children to just children. When I first saw this it made me smile and happy and I said to myself, yes finally they changed the word.

We all have to remember that we are all people first and in society we all have labels whatever is your job title or lack of a job title, ethnic background, disability, or ability. It is time for a change to get rid of the "R" word in the state law not just to follow suit with Rosa's law, but to show aloha and celebrate our uniqueness and diversity. The time is now to get rid of the "R" word and to change it with a person with an intellectual disability.

Thank you and aloha for this opportunity to testify and please pass SB 962.

Debbie Rivers

March 1, 2011  
Senator Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
State of Hawaii  
Twenty-Sixth Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Subject: SB 962- RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED STATUTES FROM "MENTAL RETARDATION" TO "INTELLECTUAL DISABILITY".

Hearing: Tuesday, March 1, 2011, 9:00 a.m., Conference Room 016

Dear Senator Clayton Hee & Members of the Committee on Judiciary and Labor:

I am in ***STRONG SUPPORT*** of SB 962 Relating to Changing References in the Hawaii Revised Statutes from Mental Retardation to Intellectual Disability. This bill helps us feel better about ourselves. No one likes being called Mentally Retarded. Please help us feel better about ourselves.

Thank you for the opportunity to present testimony in **Strong Support of SB 962**. I can be reached at 946-8335 for any further questions.

Sincerely,

*Joshua Smalley-Bower*

Vaipapa Soliai  
[vaipapas@gmail.com](mailto:vaipapas@gmail.com)

March 1, 2011

Senate Committee on Judiciary and Labor  
Clayton Hee, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

SB 962 – Relating to Changing References in the Hawaii Revised Statutes from “Mental Retardation” to “Intellectual Disability.”

Good morning Senator Hee and Members of the Committee:

My name is Vaipapa Soliai. Thank you for the opportunity to tell you that I am in **strong support of SB 962.**

I was born with a disability that confines me to a wheelchair. I cannot walk and I need people to help me with my day to day living activities. I am a human being. As a human being I have and feel and get angry just as any person. I am not different just because of my appearance and the way I talk. Because of the way I appear and talk I do not like to be referred to as mentally retarded.

By changing the references in the Hawaii Revised Statutes people will see others and I as more than just mentally retarded but as exceptional people.

Thank you.

Sincerely,  
Vaipapa Soliai

**JEAN L. JOHNSON**

1731 Hale Koa Drive  
Honolulu, Hawaii 96821-

1026

(808) 732-0672

February 26, 2011

The Honorable Clayton Hee, Chair  
Senate Committee on Judiciary and Labor  
Twenty-Sixth State Legislature  
Email: [JDCTestimony@Capitol.hawaii.gov](mailto:JDCTestimony@Capitol.hawaii.gov)

Aloha Chairman Hee and Committee Members:

**Hearing: Tuesday, March 2, 2011, 9:00 AM  
State Capitol Room 016  
SB 962**

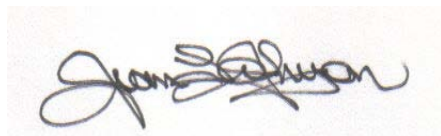
I am testifying in strong support of SB 962, Relating to Changing References in the Hawaii Revised Statutes from “Mental Retardation” to “Intellectual Disability.” These changes will make Hawaii consistent with similar changes recently made in federal legislation.

As a professional who has worked in the field more than four decades, I commend you for supporting this humanitarian legislation. The term “retardation,” frequently shortened to “retard,” has caused countless pain and suffering to individuals with an intellectual disability. Such terms have most often been applied to all persons with disabilities, regardless of the type of disability or whether an intellectual disability was present. It is a term often used to describe where special education classes are held.

This change is a way in which the legislature can make an important contribution to the well-being of Hawaii’s citizens with disabilities without any appropriations or expenditures. The cost-benefit of this legislation is awesome.

I strongly encourage you to pass this legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean L. Johnson", is written on a light-colored rectangular background.

**Testimony**  
**Transmittal Cover**

**Testifier's Name:** Alexa Fong

**Organization:** N/A

**Name of Committee(s) comments are directed to:** Committee on Judiciary and Labor

**Date and Time of Hearing:** March 1, 2011, 9:00am

**Measure Number:** SB 962 – RELATING TO CHANGING REFERENCES IN THE HAWAII REVISED STATUTES FROM “MENTAL RETARDATION” TO “INTELLECTUAL DISABILITY”.

**Number copies to the Committee is requesting:** 1 copy (including original) to the committee clerk, Room 002, State Capitol

**Emailed to:** JDLTestimony@Capitol. Hawaii.gov

Alexa Fong  
621 11<sup>th</sup> Ave Unit A1  
Honolulu, HI 96816  
Afong9@hawaii.edu

March 1, 2011

The Honorable  
Senator Clayton Hee,  
Chair

Senate Committee on  
Human Services

Twenty-Sixth  
Legislature

State Capitol

State of Hawaii

Honolulu, Hawaii 96813

RE: SB 962 – RELATING TO CHANGING REFERENCES IN THE HAWAII  
REVISED STATUTES FROM “MENTAL RETARDATION” TO  
“INTELLECTUAL DISABILITY”.

Dear Senator Hee and Members of the Committee,

My name is Alexa Fong and I am currently pursuing my Master's in Social Work at the University of Hawaii, Manoa. I **strongly support SB962** and urge the committee to pass

this bill to replace the reference to “mental retardation” to “intellectual disability” in the Hawaii Revised Statutes. I have been working with children and adults with developmental disabilities for five years and have seen the many ways in which society denies these individuals the basic right to live a self-determined life, unbounded by discrimination.

Words are very powerful and the word “retarded” perpetuates a destructive stigma throughout our society. Because the label “mentally retarded” has adopted a powerful negative connotation, the use of this word to categorize a person with cognitive disabilities prohibits the inclusion and acceptance of persons with such disabilities in our community. Moreover, bill SB962 seeks to regard the person first and does not define a person solely by their disability. Hawai’i’s legislature has the opportunity to be on the forefront of change, supported by our federal government and the enactment of Rosa’s Law. In Hawai’i, we pride ourselves on our diverse peoples and cultures. Let us continue to celebrate our differences but also foster respect and inclusively in our community.

Many government agencies and organizations throughout the nation are moving towards the elimination of the label “mental retardation.” In addition to federal changes in 2010 with Rosa’s Law, in 2003, President Bush changed the name of his Committee on Mental Retardation to the President’s Committee on Intellectual Disability. Currently, the Diagnostic Manual on Mental Disorders (DSM) is being changed to reflect the name change in the clinical diagnosis. Therefore, the question is not *should* we eliminate the term from our statutes, but when.

Thank you to the committee for the opportunity to present my testimony. I ask for your full support of the passage SB962.

Thank you,

Alexa Fong



**ROBERT C. JOHNSON, PhD**

1731 Hale Koa Drive  
Honolulu, Hawaii 96821-1026  
(808) 732-0672

February 26, 2011

JDLTestimony@Capitol.hawaii.gov

Re: Testimony on SB 962, **Relating to Changing References in the Hawaii Revised Statutes from “Mental Retardation” to “Intellectual Disability”**

Hearing on Tuesday, March 1, 2011, 9 am

I am writing to urge the Senate Judiciary and Labor Committee to support SB 962. I am a retired Professor who taught for 17 years at Kapi‘olani Community College. During that period, I had the opportunity to work with many students who had disabilities, including intellectual disabilities. They were not in any sense “mentally retarded” and demonstrated their ability to learn and participate in post-secondary education.

The words “mentally retarded” have many negative connotations that raise barriers to accomplishments and self-respect. The words “intellectual disability” do not bear that negativity and have become the standard terminology used by individuals and organizations that provide services for persons with such a disability.

Please help bring the language used in Hawai‘i into conformance with language that has become the standard in the professions that provide service to persons with “intellectual disabilities” and their families.

Respectfully,

A handwritten signature in black ink that reads "Robert C. Johnson". The signature is written in a cursive, flowing style.

Michael A. Ortiz  
2591 Dole St. Rm F203  
Honolulu, HI 96822

March 1, 2011

The Honorable Clayton Hee, Chair  
The Honorable Maile S.L. Shimabukuro, Vice Chair  
& Senate Committee on Judiciary and Labor  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

SUBJECT/RE: SB 962 – RELATING TO CHANGING REFERENCES IN  
THE HAWAII REVISED STATUTES FROM “MENTAL RETARDATION”  
TO “INTELLECTUAL DISABILITY”.

Dear Senators Hee, Shimabukuro and Members of the Committee:

Good Morning,

My name is Michael A. Ortiz and I am a 2<sup>nd</sup> year Masters in Social Work Student at the University of Hawaii at Manoa, a practicum student at the Hawaii state council on developmental disabilities, and a MCH LEND (Maternal and Child Health Leadership Education in Neurodevelopmental and Related Disabilities) Trainee at Kapiolani Medical Center for Women and Children. Thank you for the opportunity to tell you that I am in **strong support** of **SB 962**.

I do not have a family member with a developmental or intellectual disability. I myself do not have a developmental or intellectual disability. I do, however have many friends, clients, and colleagues who have an intellectual or developmental disability. I have heard countless times the stories of pain, anger, and sadness from this group about the verbal and physical torment they have encountered growing up and still experience today. Although I have not been affected by this myself, I cannot help but think of the many times I have been labeled and treated in a negative way due to my race, gender, appearance, and socioeconomic status. When I think back at those times people gave me derogatory labeling for the above mentioned, it reminds me that words have an impact of how we are treated and how we ultimately begin to view ourselves. I myself am not alone, as all of us have fallen victim to this in one way or another.

Still to this day, I do not feel that current ideas, attitudes, and beliefs about individuals with disabilities promote equality. Through the passage of this bill, I feel that it will begin the process of changing the negative ideas, attitudes, and beliefs about individuals with disabilities and will be the catalyst to enhancing their quality of life. I understand that this bill will not change things overnight. However, I feel that someone needs to lead by example and feel that the state is in the best position to lead this new paradigm of thinking.

“... I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. ...I have a *dream* today!”- Dr. Martin Luther King Jr.

I have a dream that one day all individuals with developmental and intellectual disabilities will not be judged on their appearance or cognitive abilities, but on the content of THEIR character. Words matter. Lets begin change now.

Thank you for the opportunity to present testimony and for hearing the bill. Please support the passage of SB 962.

Sincerely,

Michael A. Ortiz