



Committee: Committee on Judiciary and Labor  
Hearing Date/Time: Wednesday, March 22, 2017, 9:30 a.m.  
Place: Conference Room 016  
Re: Testimony of the ACLU of Hawaii in **Support** of H.B. 1489, H.D. 1, Relating to Civil Rights

Dear Chair Keith-Agaran, Vice Chair Rhoads, and Committee Members:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in support of H.B. 1489, H.D. 1, which seeks to codify the protections of Title IX at the state level. This measure would guarantee equal participation in any state-funded program or activity regardless of an individual’s sex, including gender identity or expression, or sexual orientation. At a time when the longevity of federal protections is uncertain, measures such as H.B. 1489 are necessary to safeguard equality.

For these reasons, The ACLU of Hawaii urges the Committee to support H.B. 1489, H.D. 1.

Thank you for the opportunity to testify.

Sincerely,

Mandy Finlay  
Advocacy Coordinator  
ACLU of Hawaii

*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 50 years.*

## LATE TESTIMONY

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [JDL Testimony](#)  
**Cc:**  
**Subject:** Submitted testimony for HB1489 on Mar 22, 2017 09:30AM  
**Date:** Tuesday, March 21, 2017 9:56:18 PM

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### **HB1489**

Submitted on: 3/21/2017

Testimony for JDL on Mar 22, 2017 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments: Aloha Chair Keith-Agaran, Vice Chair Rhoads and members, The Coalition fully supports this measure to ensure civil rights for ALL Hawaii's citizens. Mahalo, Ann S, Freed, Co-Chair Hawaii Women's Coalition

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COMMITTEE ON JUDICIARY AND LABOR

Rep. Gilbert S.C. Keith-Agaran, Chair

Rep. Karl Rhoads, Vice Chair

Wednesday, March 22, 2017, 9:30 am

Room 016

**SUPPORT of H.B. 1489 relating to CIVIL RIGHTS**

**LATE TESTIMONY**

Aloha Chair Keith-Agaran and Vice Chair Rhoads,

I am a Certified Prevention Specialist who has worked in the prevention and treatment of substance abuse on Hawaii and Oahu islands submitting testimony is strong support of HB 1489, which prohibits a state agency or program or activity receiving state financial assistance from excluding from participation, denying benefits to, or discriminating against a qualified individual by reason of disability, sex, including gender identity or expression, or sexual orientation.

I have worked with thousands of students and school aged kids on the island of Oahu ages 10-18. The rights of these children are extensive although not complete. In terms of their rights, hope was and is being achieved through progressive thinking and inclusive measures that cater to those who fall through the gap. HB 1489 protects some of those individuals who currently fall through the gap as well as those who may face discrimination under the new administrations legislative actions.

Discrimination against individuals still exists despite progression towards equality. As advocates for the residents of the State of Hawaii I believe it is the State's responsibility and obligation to protect the rights of its individuals. Federal protection for citizens is uncertain in the wake of the new administration and HB 1489 will help ensure that equality for all individuals sustains throughout any changes by the new administration. As a resident and educator I respectfully request the committee to pass H.B. 1489.

Mahalo for the opportunity to submit testimony,  
Carter Piers

**KIM COCO IWAMOTO, ESQ.**

COMMITTEE ON JUDICIARY AND LABOR

Hearing on Wednesday, March 22, 2017

9:30 a.m. in Conference Room 016

Testimony in **STRONG SUPPORT** for HB1489 HD1

Dear Chair Gilbert S.C. Keith-Agaran, Vice Chair Karl Rhoads & Committee Members,

Having served as a Board of Education member and Civil Rights Commissioner for the State of Hawaii, I can attest to the importance of codifying the protections contained in HB1489. These protections had been safeguarded by the Obama White House but are now in the crosshairs of the current president's administration. HB1489 will provide the continuation of protections that students, parents, clients and community members have come to expect during their day to day pursuit of education, health, housing and access to other services provided with the benefit of state funds.

Until recently, we have been able to rely on the federal government to uphold the standard of respect for diversity, equal access and equal opportunity. Today, the 45th President has made his anti-citizen agenda clear by his cabinet selections, executive orders, and most recently, his refusal to pursue the *Gloucester County School Board v. G.G.* case on behalf of transgender public school student Gavin Grimm.

The United States Supreme Court was scheduled to hear this case on March 28, 2017. The Court was going to consider whether the Gloucester Count School Board's policy targeting transgender students discriminates on the basis of sex, in violation of Title IX.

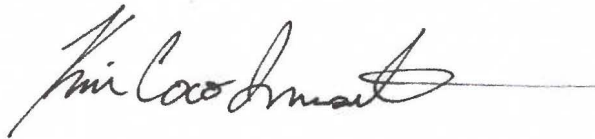
Hawaii Attorney General Doug Chin signed onto an amicus brief on behalf of Gavin Grimm, and stated in his news release dated March 3, 2017, "This is about protecting civil rights. Period." The press statement continued:

"According to this brief, '[t]he amici States' shared experience demonstrates that protecting transgender people from discrimination benefits all members of the public. And contrary to the petitioner's claims, our shared experience demonstrates that protecting the civil rights of transgender people—including by allowing them access to common restrooms consistent with their gender identity—creates no public safety or personal privacy threat and imposes no meaningful financial burden."

As this Committee may be aware, the Hawaii Department of Education has spent years developing guidelines to ensure transgender students have equal access to public education, in compliance with Title IX.

HB1489 provides our state the opportunity to reaffirm the legacy of Patsy Mink, Title IX, and the fair-minded ideals contained therein by codifying them into Hawaii's own revised statutes.

Respectfully,

A handwritten signature in black ink, appearing to read "Tim Coombs", followed by a horizontal line extending to the right.

HB1489

## LATE TESTIMONY

To whom it may concern,

Regarding this upcoming bill, as a Kauai citizen, I would like to ask that you continue to support our transgender and gender non-conforming youth. Please support the previous title IX recommendations by making schools safe for all students. Please ensure schools have inclusive non-discrimination and anti-bullying policies that make school campuses safe for everyone.

Transgender and gender non-conforming students should have equal access to educational opportunities in their school environments. In schools that are supportive to LGBTQ youth, transgender and gender non-conforming students not only feel more safe, but they do better in school and are less likely to skip class or drop out. Supportive environments for all students keep our communities healthier and happier.

Please understand that making schools safe for LGBTQ students helps create a safe environment for all students. Hawaii has always celebrated and honored gender and sexual diversity in the islands. Now is not a time to expand on the divisions, ignorance and fear that has been perpetuated lately. All students need support and safe and inclusive environments. That is what diversity is all about.

Mahalo,

Matthew Houck

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### **HB1489**

Submitted on: 3/21/2017

Testimony for JDL on Mar 22, 2017 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maxine Anderson	Individual	Support	No

#### Comments:

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### **HB1489**

Submitted on: 3/21/2017

Testimony for JDL on Mar 22, 2017 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Steffanie Humphrey	Individual	Support	No

Comments: Honorable Chairperson and Committee Members, This is especially needed at this time due to the current republican administration in Washington DC. We don't want special rights or protections, we just want equal rights and protections! It was my intent to be there in person but I have a conflicting dental appointment to replace a crown that fell off yesterday. Thank you! Steffanie Humphrey

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**LATE TESTIMONY**

**HB1489**

Submitted on: 3/21/2017

Testimony for JDL on Mar 22, 2017 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Terez Amato Lindsey	Individual	Support	No

Comments:

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### **HB1489**

Submitted on: 3/21/2017

Testimony for JDL on Mar 22, 2017 09:30AM in Conference Room 016

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Winnie Groves	Individual	Support	Yes

Comments: I support HB 1489 HD1. Hawaii has recently lead the way in the nation in supporting civil rights. Gender identity expression is important to the quality of life of many individuals. Please continue with the current trend of inclusion and fairness for all that Hawaii has been demonstrating to the nation and the world. Mahalo for the opportunity to testify in support of HB 1489 HD1, Winnie Groves

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