



**HB1165 HD2 SD1**  
**RELATING TO GENDER IDENTIFICATION**  
Senate Committee on Judiciary

April 2, 2019

10:10 a.m.

Room 016

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HB1165 HD2 SD1, which would add a third, gender-neutral marker to Hawai‘i driver’s licenses, providing meaningful accommodation for gender non-binary individuals, and reducing the risks of invasive questioning, discrimination, harassment, and even violence that transgender, gender non-binary, and gender non-conforming individuals may face when identified as a particular gender on their state identification.

Transgender and gender non-conforming people have deep roots in traditional Hawaiian society, and remain a significant but often unacknowledged part of Hawai‘i’s community today. Hawaiian culture has a rich history of gender diversity and acceptance of those who would now be considered transgender or gender non-conforming. In pre-colonial Hawaiian culture and society, aikāne and māhū were revered and maintained special roles in society and in certain cultural practices.<sup>1</sup> Currently, Hawai‘i ranks first in the nation with the highest proportion of its population composed of transgender adults,<sup>2</sup> and three percent of Hawai‘i’s high-school-aged youth identify as transgender.<sup>3</sup> Native Hawaiians are also strongly represented among this young transgender population, representing 25% percent of our transgender youth.<sup>4</sup> Unfortunately, our community does not meaningfully acknowledge and accommodate our transgender and gender non-conforming communities, resulting in various forms of systemic and invidious discrimination not reflective of Hawai‘i’s cultural history and traditional values.

Government forms of identification, such as driver’s licenses, that mandate binary gender markers can have a great impact on transgender and gender non-conforming peoples’ safety and emotional well-being. For example, a driver’s license showing a binary gender may

---

<sup>1</sup> See, e.g., Noenoe Silva, *Aloha Betrayed: Native Hawaiian Resistance to American Colonialism*. (2004); Lilikalā Kame'eleihiwa, *Le'ale'a o na Kupuna: Traditional Hawaiian Sexuality*, Ke Ola Mamo Conference (1999); and Keith Bettinger, *Historically Speaking: A quick look at homosexuality and gender roles in pre-contact Hawai'i*, HONOLULU WEEKLY (Jun. 20-26, 2007).

<sup>2</sup> WILLIAMS INSTITUTE, *HOW MANY ADULTS IDENTIFY AS TRANSGENDER IN THE UNITED STATES?* 3 (2016).

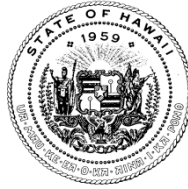
<sup>3</sup> HAWAI'I STATE DEPARTMENT OF HEALTH, *HAWAI'I SEXUAL AND GENDER MINORITY HEALTH REPORT 2018: A FOCUS ON TRANSGENDER YOUTH*, 24 (2018) available at <https://health.hawaii.gov/surveillance/files/2018/09/HawaiiSexualandGenderMinorityHealthReport2018.pdf>.

<sup>4</sup> *Id.*

“out” such individuals in any situation requiring proof of identity; as a result, routine activities like travelling, applying for a job or a school, entering public establishments, or attempting to obtain benefits can be anxiety-inducing ordeals for these individuals. Identification documents that do not match a person’s lived gender can also expose them to negative attention in a variety of forms, including invasive questioning; verbal harassment and physical violence; unnecessary scrutiny by law enforcement; and discrimination in housing, employment, healthcare, and public benefits.

A gender-neutral marker on state drivers’ licenses will free individuals, such as māhū, transgender, and gender non-conforming individuals, from having to compromise their personal and cultural identities and mitigate the prejudicial treatment and harms they may otherwise face.

Therefore, OHA urges the Committee to **PASS** HB1165 HD2 SD1. Mahalo nui loa for the opportunity to testify on this important measure.



**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

April 2, 2019  
10:10 a.m.  
State Capitol, Room 016

**H.B. 1165, H.D.2, S.D.1**  
**RELATING TO GENDER IDENTIFICATION.**

Senate Committee on Judiciary

---

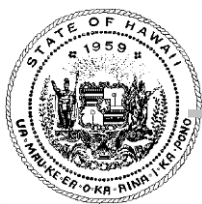
The Department of Transportation (DOT) **supports** H.B. 1165, H.D.2, S.D.1.

Gender is a required field for REAL ID compliant driver's licenses and REAL ID compliant identification cards.

DOT and the City & County Department of Information Technology will need to work with the American Association of Motor Vehicle Administrators (AAMVA) to ensure implementation meets the AAMVA driver's license and identification card standards in accordance to Hawaii Administrative Rules.

There is also a need to capture the sex at birth information of applicants for driver's licenses and state identification cards. The United States Selective Service System requires male U.S. citizens and male immigrants between the ages of 18 to 25 years old to be registered with the System. The examiner of drivers transmits the information to the Selective Service System that is required to register those male U.S. citizen and male immigrant applicants for driver's licenses and state identification cards between the ages of 18 to 25 years old. Applicants' personal information, including the sex at birth information, is protected by existing laws and administrative rules.

Thank you for the opportunity to provide testimony.



# HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

April 2, 2019  
Rm. 016, 10:10 a.m.

To: Hon. Karl Roads, Chair  
Hon. Glenn Wakai, Vice Chair  
Members of the Senate Committee on judiciary

**LATE**

From: Linda Hamilton Krieger, Chair  
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 1165, H.D. 2, S.D. 1

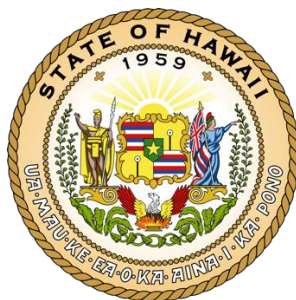
The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state-funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights.

The HCRC supports H.B. No. 1165, H.D. 2, S.D. 1, which would require a third option for gender identification for driver’s licenses and state identification cards, specifying gender designation options of M, F or X.

Expanding gender options on government identification will aid in nondiscrimination against transgender and non-binary individuals. A growing number of jurisdictions are offering alternatives regarding gender identification on identity and birth documents, and HCRC supports this trend.

HCRC is cognizant that identification documents must conform with the federal REAL ID Act, and urges any modifications that will comply with federal law and allow individuals the option to self-identify their gender.

It is important to support inclusiveness, and the HCRC supports H.B. No. 1165, H.D. 2, S.D. 1, and urges passage of this bill.



**LATE**

‘O kēia ‘ōlelo hō’ike no ke  
**Komikina Kūlana Olakino o Nā Wāhine**

Testimony on behalf of the  
**Hawai‘i State Commission on the Status of Women**  
Khara Jabola-Carolus, Executive Director

Prepared for the Senate Committee on Judiciary

In Support of HB1165 HD2, SD1  
Tuesday, April 1, 2019, at 10:00 a.m. in Room 016

Dear Chair Rhoads, Vice Chair Wakai, and Honorable Members,

The Hawai‘i State Commission on the Status of Women **supports** HB1165 HD2, SD1 which would expand the gender options for driver’s license and state identification card applicants. Hawai‘i has the largest percentage of transgender individuals in the United States. Binary gender and sex markers on state driver’s licenses cause difficulty and invasive questioning in everyday transactions for this community. Indeed, sex and gender markers **increase the likelihood of discrimination** for transgender and gender non-conforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account, renting an apartment, and the list goes on.

Sex and gender are distinct concepts although the state uses the terms inconsistently, and often interchangeably which exacerbates mythological binaries. For example, the federal REAL ID Act requires that state driver’s licenses mark “the person’s gender.” At present, Hawai‘i’s regular driver’s license is technically non-compliant with the REAL ID Act because lists “sex.” Sex implies chromosomes and particular body parts relevant to reproduction. Gender is the story that a society tells about sex differences. These stories are currently “steeped in stereotypes of female inferiority,” and so deeply ingrained that we experience them as if they are unchangeable and biological.<sup>1</sup> Gender (expectations and stereotypes) is at the heart of sexism and the subordinate status of women and all people who exhibit a feminine rather than typically masculine appearance or demeanor. In most states, non-binary genders are not legally recognized.

HB1165 would align our identification documents with the reality that gender is a mutable, performative characteristic that is personally changeable at any time. All people may present themselves at any time in a way that associates them with the “wrong” sex or gender, and can be misgendered by

---

<sup>1</sup> Fogg Davis, H., *Beyond Trans Does Gender Matter?*, 2017.

state administrators such as law enforcement. Accordingly, the Commission asks that the Committee pass this HB1165 HD2, SD1.

Sincerely,

Khara Jabola-Carolus

**HB-1165-SD-1**

Submitted on: 3/30/2019 11:21:25 AM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Testifying for AAUW of Hawaii	Support	No

Comments:

Dear Chair Rhoads, Vice-Chair Wakai, and members of the committee,

Thank you for this opportunity to submit a testimony in support of HB1165 HD2 SD1, which would require a third option of gender identification for driver's license and state identification card applicants.

Hawai'i has the largest percentage of transgender individuals in the United States. In fact, mahu, or transgendered individuals and transvestites, were viewed by the ancient Hawaiians as a normal element of the old social culture. Mahu were not merely tolerated; they were regarded as a legitimate and contributory part of the ancient Polynesian community. (Source: ["RaeRae and Mahu: third polynesian gender", NIH](#))

Binary gender and sex markers on state driver's licenses cause difficulty and invasive questioning in everyday transactions for this community. Indeed, sex and gender markers increase the likelihood of discrimination for transgender and gender non-conforming people when seeking employment, registering to vote, applying for insurance, interacting with law enforcement, opening a bank account, renting an apartment, and the list goes on.

Please pass this measure for it could reduce discrimination and violence against transgender and gender non-conforming people. Mahalo for your consideration.

To: Hawaii State Senate Committee on Judiciary  
Hearing Date/Time: Tues., Apr. 2, 2019, 10:10 a.m.  
Place: Hawaii State Capitol, Rm. 016  
Re: Testimony in strong support of H.B. 1165, HD2, SD1, relating to Gender Identification

Dear Chair Rhoads and Members of the Committee,

Planned Parenthood Votes Northwest and Hawaii (“PPVNH”) writes in support of H.B. 1165, HD2, SD1, which seeks to include a gender category option of non-binary to license and state identification cards.

LGBTQI+ rights and reproductive rights are deeply connected to justice for all. We have long stood with our LGBTQI+ allies in the struggle for full equality — many of whom turn to Planned Parenthood for health care, information, and education. We are committed to building a world where no one experiences discrimination or violence because of their gender identity, gender expression, or sexual orientation.

We support H.B. 1165 because it seeks to address the unnecessary and oftentimes dangerous and traumatic gender markers on licenses by adding a category option of non-binary. For those whose marker doesn’t match their gender identity or expression, gender markers can make them a target for discrimination and harm. H.B. 1165 will take a step towards protecting all the members of our community, regardless of gender identity or expression, from injustice.

Thank you for this opportunity to testify in support of this important measure.

Sincerely,

Laurie Field  
Hawaii State Director





March 29, 2019

Senate's Committee on Judiciary  
Hawaii State Capitol  
415 South Beretania Street, Room 016  
Honolulu, HI 96813

Hearing: Tuesday, April 2, 2019 – 10:10 a.m.

RE: **STRONG SUPPORT for House Bill 1165 HD 2 SD 1– RELATING TO GENDER IDENTIFICATION**

Aloha Chair Inouye, Vice Chair Harimoto and fellow committee members,

I am writing in STRONG SUPPORT for House Bill 1165 HD 2 SD 1 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i. HB 1165 HD 2 SD 1 excludes gender or sex markers from limited purpose driver's licenses and limited purpose provisional driver's licenses.

HB 1165 HD 2 SD 1 is one of the priorities for the LGBT Caucus and is a continuation of the work we have done to help ensure all are treated equally and fairly. The idea of gender binary is a fallacy and this bill will help correct this misconception. Gender identity is a spectrum and people fall somewhere along it, from female to agender to male. This needs to be reflected on those do not identify as strictly female or male on their provisional driver's licenses.

For the State of Hawaii to require everyone to pick either female or male on their driver's license or state ID is requiring them to lie. By passing this bill you will be making Hawaii more accepting of our fellow 'ohana members that do not adhere to the gender binary. To understand more about our non-binary 'ohana we encourage you to read ["Understanding Non-Binary People" from the National Center for Transgender Equality.](#)

Currently 3 other states (California, Minnesota & Oregon) and the District of Columbia have a variation of this law. The LGBT Caucus of the Democratic Party of Hawaii asks that you pass HB 1165 HD 2 SD 1 to help make Hawaii a more inclusive state for all.

Mahalo nui loa,

Michael Golojuch, Jr.  
Chair

**National Center for Transgender Equality**  
**FAQ: GENDER-NEUTRAL IDS What is a gender-neutral ID?**

A gender-neutral ID displays an alternate marker that is not an “M” (male) or “F” (female) to fill the sex or gender field of the ID. The gender-neutral marker is typically an “X” marker which stands for “Undisclosed” or “Other.”

**Why are gender-neutral IDs important?**

Many people have a gender identity that is not male or female and may use terms like “non-binary” to describe their gender identity. A gender-neutral ID allows them to display a more accurate gender marker on their ID. A gender-neutral ID also allows people of any gender to have increased privacy around gender on their state ID.

**Do I have to identify as non-binary to get a gender-neutral ID?**

No. People of any gender may choose not to disclose their gender on their ID by opting for a gender-neutral marker.

**If I am a transgender man or transgender woman, do I have to get a gender-neutral ID?**

No. The gender-neutral option “X” is in addition to the options of “M” or “F.” A transgender woman can still change the gender marker on her ID to “F” and a transgender man can still have “M” on his ID.

**Do I need a provider to certify my request for a gender-neutral ID?**

No. Current states with gender-neutral options allow all applicants to determine the gender marker that is most appropriate for them and no longer require documentation from a medical or mental health provider. This allows people who may have limited access to medical providers to get appropriate ID, and also allows people who seek to have an “X” gender marker for privacy reasons to do so.

**What if my gender-neutral ID does not match the gender marker on my other IDs and documents?**

If you have different gender markers listed on various IDs or records, it may cause confusion or raise eyebrows when interacting with officials or applying for services. However, legally speaking, it is not a problem to have records and IDs with different gender markers, and officials should still be able to verify your identity.

**Can I use my gender-neutral ID to travel and go through TSA or airport security?**

TSA does not yet have an official policy on how they process IDs with gender neutral markers, despite the fact that various other countries issue IDs with “X” designations. Airlines are required to collect name and gender information and submit it to TSA before each flight, and airlines currently only have M or F options. It is ideal to bring an ID to fly that has a gender marker that matches the gender you submitted to the airline. However, if you don't have an ID with a gender marker that matches what you submitted to the airline you can likely still get through security, though you may receive additional scrutiny or questioning.

**Will my ID be compliant with federal and international laws?**

Yes. The REAL ID Act requires states to list a gender on licenses, but the Department of Homeland Security explicitly states that they “leave the determination of gender up to the States [...]” An X gender marker is consistent with the practice of the International Civil Aviation Association (ICAO), an agency of the United Nations, which uses an internationally-recognized passport format that allows for M, F, or X gender markers.

**HB-1165-SD-1**

Submitted on: 3/29/2019 7:39:26 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pride Work HI	Testifying for Pride at Work Hawaii	Support	Yes

Comments:

Aloha Senators,

The Pride at Work Hawaii, an affiliate of Hawaii State AFL-CIO, supports the passage of HB 1165 HD 2 SD 1.

Mahalo for your consideration and for the opportunity to testify in STRONG support of HB 1165 HD 2 SD 1.

Mahalo,

Pride at Work - Hawaii

**HB-1165-SD-1**

Submitted on: 3/31/2019 7:46:54 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rainbow	Testifying for Rainbow Family 808	Support	No

Comments:

Honorable Karl Rhoads, Chair  
Committee on Judiciary

Tuesday, April 2, 2019  
10:10 AM  
Room 016

Re: Strong **Support** for HB1165 HD2 SD1 – Relating to Gender Identification

Aloha Chair Rhoads, Vice Chair Wakai and Honorable Members:

My name is Ian Tapu and I am the President of the Lambda Law Student Association, the only LGBT organization at the William S. Richardson School of Law. I am writing in **strong support** on behalf of myself and within my capacity as the head of Lambdas for HB1165 HD2 SD1, which provides a third option for gender identification on driver licenses and state identification cards.

This bill will send a clear message that the State of Hawaii, with the highest percentage of transgender people,<sup>1</sup> will do more than just respect the trans community. In fact, this bill expresses a commitment to support and validate those experiences outside the binary of male and female and who are often silenced or made to feel less than. Through this bill, Hawai'i will join eight other jurisdictions that allow gender-neutral identification and all of which are still compliant with the REAL ID Act.<sup>2</sup>

On a culturally fundamental level, this bill directly comports with the history and values Polynesians have cherished for generations extending especially to pre-Western contact. Native Hawaiians have long recognized the value and strength beyond the binary of male and female with the role of the mahu being instrumental in the home and community. Similarly, the leiti of Tonga and fa'afafine of Samoa are honored members of the village and too are culturally rooted in the understanding that gender is fluid.

I hope Hawai'i looks to the lessons that our Polynesian ancestors have paved for us and support the No License to Discriminate bill.

I humbled to have the opportunity to submit testimony and am grateful for the work that you do for the people of Hawai'i.

Sincerely,

Ian Tapu  
President, Lambda Law Student Association

---

<sup>1</sup> ANDREW R. FLORES ET AL., HOW MANY ADULTS IDENTITY AS TRANSGENDER IN THE UNITED STATES? 3 (2016), <https://williamsinstitute.law.ucla.edu/wp-content/uploads/How-Many-Adults-Identify-as-Transgender-in-the-United-States.pdf>.

<sup>2</sup> Currently Arkansas, California, Colorado, Maine, Minnesota, Oregon, Washington, and the District of Columbia provide gender neutral identification.



## Hawai'i

Committees: Committee on Judiciary  
Hearing Date/Time: Tuesday, April 2, 2019, 10:10 a.m.  
Place: Conference Room 016  
Re: Testimony of the ACLU of Hawai'i in Support of H.B. 1165, H.D. 2, S.D. 1, Relating to Gender Identification

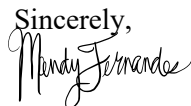
Dear Chair Rhoads, Vice Chair Wakai, and members of the Committee on Judiciary:

The American Civil Liberties Union of Hawai'i ("ACLU of Hawai'i") writes **in support of H.B. 1165, H.D. 2, S.D. 1**, which would offer a third gender designation option on state driver's licenses and state identification cards. This change will provide accurate identification documents to affirm individuals' gender identity and help prevent discrimination and harassment of transgender and non-binary people.

According to the Williams Institute, Hawai'i has the highest percentage of its population identifying as transgender in the nation. In 2016, the National Center for Transgender Equality released its 2nd U.S. Transgender Survey, which included the experiences of almost 28,000 respondents.<sup>1</sup> Only 11% of respondents reported that *all* of their IDs had the name and gender they preferred, and 68% reported that *none* of their IDs matched the name and gender that they preferred. We applaud the legislature for recognizing that this current state of affairs is unacceptable and introducing this legislation to remedy it.

Hawaii's current driver's licenses and state identification cards do not recognize non-binary people, who self-identify as neither male nor female, both male and female, or something else. Approximately 31% of respondents to the U.S. Transgender Survey identified as non-binary. For these individuals, neither an "M" nor an "F" gender marker accurately reflects their gender identity. Offering a third option will provide a more accurate gender designation for these individuals, as well as a privacy option for those who do not wish to disclose their gender.

Thank you for the opportunity to testify.

Sincerely,  
  
Mandy Fernandes  
Policy Director  
ACLU of Hawai'i

*The mission of the ACLU of Hawai'i is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawai'i fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawai'i 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 Hawai'i has been serving Hawai'i for 50 years.*

---

<sup>1</sup> James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). The Report of the 2015 U.S. Transgender Survey. Washington, DC: National Center for Transgender Equality. <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.



Testimony on behalf of the  
**GLSEN-HI**  
Causha A. Spellman-Timmons, Policy Coordinator

Prepared for the Senate Committee on Judiciary

In Support of HB1165 HD2 SD1  
Tuesday, April 2, 2019, at 10:10 a.m. in Room 016

Dear Chair Rhoads, Vice Chair Wakai, and Honorable Members,

I am in strong support of HB1165 HD2 SD1, which would provide a third option of gender identification for driver's licenses and state identification cards. While gender is a required field pursuant to the REAL ID Act of 2005, the federal government does not mandate that individuals identify their gender solely as male or female. In fact, the Department of Homeland Security explicitly leaves the determination of gender up to the states. To date, Indiana, Vermont, Arkansas, California, Maine, New York, Oregon, Minnesota, Colorado, Washington, and the District of Columbia already allow gender-neutral identification and are still in compliance with the REAL ID Act.

Driver's license and state identification cards are used in a variety of situations, such as interacting with law enforcement, registering to vote, and applying for phone plans, library cards, benefits, bank accounts, insurance, or loans. Forcing transgender and gender non-conforming people to choose between male and female may increase the likelihood of discrimination or lead to difficult and intrusive questioning by strangers. In contrast, allowing a third gender-neutral category will allow those who are interacting with transgender and gender non-conforming individuals to use the correct gender pronouns without the need for intrusive or insensitive questioning.

As noted in Section 1 of the bill, Hawaii has the highest-percentage of transgender-identifying individuals in the United States. According to a 2016 report by the Williams Institute, an estimated 8,450 individuals who live in Hawaii identify as transgender. Adopting this bill would these individuals to determine the gender category that is most appropriate for them.

Allowing for third gender neutral marker on driver's licenses and state identification cards would also be consistent with the preamble of Hawaii Constitution, which was adopted with an understanding and compassionate heart toward all the peoples of the earth and emphasized the significance of pono, or righteous, actions. Adopting this bill would be

a pono act that recognizes that many individuals are non-binary and shows understanding and compassion towards all Hawaii residents, regardless of gender identity.

Mahalo,

Causha A. Spellman-Timmons, *MSW*



## TESTIMONY IN SUPPORT OF HB 1165, HD 2, SD 1

TO: Senate Committee on Judiciary

FROM: Nikos Leverenz  
Grants, Development & Policy Manager

DATE: April 2, 2019 (10:10 AM)

---

**LATE**

Chair Rhoads, Vice-Chair Wakai, and Committee Members:

Hawai'i Health and Harm Reduction Center (HHRC) **supports** HB 1165, HD 2, SD 1, which would add a gender-neutral marker to the state's driver's licenses. It would provide those persons who do not comport with the current binary model a meaningful alternative for their state- issued identification.

As the Office of Hawaiian Affairs noted in its prior support of this bill, traditional indigenous conceptions of gender are far more expansive and inclusive than the current binary model: "Transgender and gender non-conforming people have deep roots in traditional Hawaiian society, and remain a significant but often unacknowledged part of Hawai'i's community today. Hawaiian culture has a rich history of gender diversity and acceptance of those who would now be considered transgender or gender nonconforming. In precolonial Hawaiian culture and society, aikāne and māhū were revered and maintained special roles in society and in certain cultural practices."

Promoting transgender health is a priority for HHRC. Our [Kua'ana Project](#) provides resources for Oahu's transgender community in collaboration with other service providers. Peers of the transgender community assist other trans persons to achieve success using their own personal experiences as a guide. Resources provided include free and confidential HIV and hepatitis C testing counseling; health and beauty referrals; substance abuse treatment referrals; sober living referrals; referrals for hormone therapy, hair removal, and speech therapy; and mental health and legal advocacy. Support services include one-on-one peer counseling, transition guidance, esteem building, education assistance, and community gatherings. Education services provided include name change navigation and scholarships; HIV prevention; resume building; college and career planning; and transgender cultural competency training.

Thank you for the opportunity to testify on behalf of this measure.

**LATE**

**HB-1165-SD-1**

Submitted on: 4/1/2019 4:24:01 PM  
Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	Testifying for O`ahu County Democrats Legislative Priorities Committee	Support	No

Comments:

**LATE**

**HB-1165-SD-1**

Submitted on: 4/2/2019 1:57:24 AM

Testimony for JDC on 4/2/2019 10:10:00 AM

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

Comments:

**HB-1165-SD-1**

Submitted on: 3/29/2019 4:12:49 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
kevin landers	Individual	Support	No

Comments:

I am a plain old cishetero white man (like Sen. Rhoads) and this is the most easy layup of a measure our Democrat controlled legislature could ask for. Do what's right, what's just, what's considerate of our siblings and cousins who will feel accepted by our government with this gesture.

**HB-1165-SD-1**

Submitted on: 3/30/2019 5:35:00 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sarah Milianta-Laffin	Individual	Support	No

Comments:

**Dear Chair Rhoads, Vice Chair Wakai, and Honorable Members,**

**I am in strong support of HB1165 HD2 SD1, which would provide a third option of gender identification for driver's licenses and state identification cards.**

**I share my support as an educator, and faculty sponsor of the Gender Sexuality Alliance (GSA) Club at Ilima Intermediate School in Ewa Beach.**

**A few weeks ago, a trans student I support through our program came running into my classroom to share a news story about another state changing the rules for driver's licenses. "Miss - ya think they could do that here, have more than 2 choices?" I was excited to share with them some of the information I'd learned about this bill.**

**This student, let's call them "C," has endured incredible bullying throughout their academic career and they're only in middle school. This bill gives students like C hope, hope for a future where the law "sees" them for who they are, instead of forcing them into a box. The 3rd option in HB 1165 opens doors for more acceptance of students like C in the future.**

**Please vote for C's future, and the future of students like C all over Hawaii, by supporting HB 1165 HD2 SD1.**

**Mahalo For Your Kokua,**

**Sarah Milianta-Laffin**

**7th Grade STEM Lab Teacher & GSA Sponsor**

**Ilima Intermediate School**

**Ewa Beach, HI**



**HB-1165-SD-1**

Submitted on: 3/30/2019 7:52:37 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jill Fletcher	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Wakai, and Honorable Members,

I am in support of HB1165 HD2 SD1, which would provide a third option of gender identification for driver's licenses and state identification cards. Using two genders to identify a person limits the accuracy of identification. Having only two options, while there are more makes it more difficult for people to be identified accurately.

The federal government does not mandate that individuals identify their gender solely as male or female. The Department of Homeland Security explicitly leaves the determination of gender up to the states. Let's be a state that recognizes the best way to identify people is how they identify themselves. Besides being more accurate, it's the kinder option.

Please vote to allow for the third gender option.

Thank you for your time.

Jill Fletcher

**HB-1165-SD-1**

Submitted on: 3/31/2019 6:05:06 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jen Jenkins	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Wakai, and Honorable Members,

I am in strong support of HB1165 HD2 SD1, which would provide a third option of gender identification for driver's licenses and state identification cards. While gender is a required field pursuant to the REAL ID Act of 2005, the federal government does not mandate that individuals identify their gender solely as male or female. In fact, the Department of Homeland Security explicitly leaves the determination of gender up to the states. To date, Indiana, Vermont, California, Colorado, Minnesota, Oregon, Washington, Arkansas, and Maine, and the District of Columbia already allow gender-neutral identification and are still in compliance with the REAL ID Act.

Driver's license and state identification cards are used in a variety of situations, such as interacting with law enforcement, registering to vote, and applying for phone plans, library cards, benefits, bank accounts, insurance, or loans. Forcing transgender and gender non-conforming people to choose between male and female may increase the likelihood of discrimination or lead to difficult and intrusive questioning by strangers. In contrast, allowing a third gender-neutral category will allow those who are interacting with transgender and gender non-conforming individuals to use the correct gender pronouns without the need for intrusive or insensitive questioning.

As noted in Section 1 of the bill, Hawaii has the highest-percentage of transgender-identifying individuals in the United States. According to a 2016 report by the Williams Institute, an estimated 8,450 individuals who live in Hawaii identify as transgender. Adopting this bill would these individuals to determine the gender category that is most appropriate for them.

Allowing for third gender neutral marker on driver's licenses and state identification cards would also be consistent with the preamble of Hawaii Constitution, which was adopted with an understanding and compassionate heart toward all the peoples of the earth and emphasized the significance of pono, or righteous, actions. Adopting this bill would be a pono act that recognizes that many individuals are non-binary and shows understanding and compassion towards all Hawaii residents, regardless of gender identity.

Thank you



Jen J.

**HB-1165-SD-1**

Submitted on: 3/31/2019 7:50:24 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shanda Owan	Individual	Support	No

Comments:

Members of the Committee on Transportation

Tuesday, April 2, 2019, at 10:10 am

State Capital, Conference Room 016

RE: In support of HB1165 HD2 SD1 Relating to Gender Identification

Aloha Chair, Vice Chair, and Honorable Members of the Committee of Transportation,

My name is Shanda and I am a graduate student at the Myron B. Thompson School of Social Work at the University of Hawaii at Manoa. I am in support of HB 1165 HD2 SD1 to add a third gender classification for driver's license and state identification cards. Hawai'i currently has the most transgender people in the United States. Being born and raised in Hawaii, I can also speak from experience with knowing friends, acquaintances, and family friends who identify as such and those who choose not to. I have seen first-hand how others get questioned by what the information says on their ID and how it is portrayed in person. Our license and/or state identification are not just picture cards we keep in our wallets. One can argue that they are a part of our identity. Our IDs provide us access to services, driving, banking, traveling, and prove we are who we say we are.

Providing another gender designation to the "M" and "F" classification might not seem like a big deal for some. However, for those who are questioned and struggle with gender classification day to day, it adds to the constant pressure to choose one or the other. Adding a third option "X" for those who wish not to disclose, are transgender, or do not wish to self-identify is a form of empowerment. Too often, hate crimes and bullying of these individuals go unnoticed. Providing an additional gender classification to choose from is one less form to complete without feeling targeted. I hope the 2050 effective date could be changed to 2030 or earlier. This is a step in the right direction, although we still have a long way to go.

Thank you for giving me the opportunity to provide testimony on this bill.

Sincerely,

Shanda Owan

**HB-1165-SD-1**

Submitted on: 3/30/2019 6:42:01 AM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Larry Smith	Individual	Support	No

Comments:

**HB-1165-SD-1**

Submitted on: 3/31/2019 9:00:48 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda Vincent	Individual	Support	No

Comments:

Hawaii is home to the highest population percentage of transgender citizens in the United States. Provision of a nonbinary gender option on state identification will allow more accurate representation of our state's diverse population.

**HB-1165-SD-1**

Submitted on: 4/1/2019 7:43:17 AM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Victor K. Ramos	Individual	Oppose	No

Comments:

Strongly Oppose. This is counter to scientific fact.

Chair, Vice Chair and other members of the committee.

My name is Alyssa Imai and I am a student at the Myron B Thompson School of Social work at the University of Hawaii at Manoa. I am testifying in support of this bill. With many different gender identities, it is hard for people who are transgender and gender non-conforming to be able to specify as a specific gender. Causing them to choose leaves them to feel discriminated against. As a future social worker it is important for people to feel comfortable when filling out forms as well as to be identified in public. This is why I am in support of this bill. Thank you for allowing me to testify for this bill.

**LATE**

**HB-1165-SD-1**

Submitted on: 4/1/2019 3:45:22 PM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ryan Mandado	Individual	Support	No

Comments:



**LATE**

**HB-1165-SD-1**

Submitted on: 4/1/2019 8:13:53 PM  
Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lea Minton	Individual	Support	No

Comments:

I strongly support this bill and urge legislators to pass this bill.

**LATE**

**HB-1165-SD-1**

Submitted on: 4/2/2019 8:40:33 AM

Testimony for JDC on 4/2/2019 10:10:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cherise Braxton-Brooks	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Wakai, and Honorable Members,

I am in strong support of HB1165 HD2 SD1, which would provide a third option of gender identification for driver's licenses and state identification cards. While gender is a required field pursuant to the REAL ID Act of 2005, the federal government does not mandate that individuals identify their gender solely as male or female. In fact, the Department of Homeland Security explicitly leaves the determination of gender up to the states. To date, California, Colorado, Minnesota, Oregon, Washington, Arkansas, and Maine, and the District of Columbia already allow gender-neutral identification and are still in compliance with the REAL ID Act.

Driver's license and state identification cards are used in a variety of situations, such as interacting with law enforcement, registering to vote, and applying for phone plans, library cards, benefits, bank accounts, insurance, or loans. Forcing transgender and gender non-conforming people to choose between male and female may increase the likelihood of discrimination or lead to difficult and intrusive questioning by strangers. In contrast, allowing a third gender-neutral category will allow those who are interacting with transgender and gender non-conforming individuals to use the correct gender pronouns without the need for intrusive or insensitive questioning.

As noted in Section 1 of the bill, Hawaii has the highest-percentage of transgender-identifying individuals in the United States. According to a 2016 report by the Williams Institute, an estimated 8,450 individuals who live in Hawaii identify as transgender. Adopting this bill would these individuals to determine the gender category that is most appropriate for them.

Allowing for third gender neutral marker on driver's licenses and state identification cards would also be consistent with the preamble of Hawaii Constitution, which was adopted with an understanding and compassionate heart toward all the peoples of the earth and emphasized the significance of pono, or righteous, actions. Adopting this bill would be a pono act that recognizes that many individuals are non-binary and shows understanding and compassion towards all Hawaii residents, regardless of gender identity.

Thank you,

Cherise Braxton-Brooks