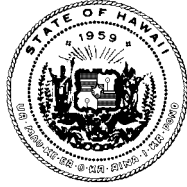


DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

CATHY BETTS
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 7, 2020

TO: The Honorable Senator Russell E. Ruderman, Chair
Senate Committee on Human Services

The Honorable Senator Karl Rhoads, Chair
Senate Committee on Judiciary

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2037 HD 2 – RELATING TO THE HAWAII STATE LESBIAN, GAY, BISEXUAL,
TRANSGENDER, QUEER, PLUS COMMISSION**

Hearing: March 9, 2020, 3:10 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports the intent of the bill, provides comments, and suggests an amendment.

PURPOSE: Establishes the Hawaii state lesbian, gay, bisexual, transgender, queer, plus commission. Appropriates funds. Effective 12/31/2059. (HD2)

DHS supports and recognizes the commitment and efforts of the different LGBT and LGBTQ advocacy groups, especially around the issues of bullying prevention and equity. The proposal is modeled after the statutes that establish the Hawaii State Commission on the Status of Women, which has long been successful in its promotion and advocacy to improve the status of women in Hawaii.

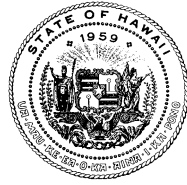
DHS comments that an appropriation for the executive director as well as an operational budget is necessary for the proposed Commission to function and implement its statutory mission. The Legislature should also know that office space within DHS is also lacking

so an appropriation may need to include funds to develop an office and to obtain necessary IT and other office systems.

Also, DHS was informed that the number of voting members listed in (b)(2) should be clarified as the stated number of eight does not match the seven appointed members described, nor does it match the definition of quorum in (d) that defines the quorum as a majority of the seven appointed members of the commission. DHS suggests amending (b)(2) as follows:

- (2) ~~Eight~~ **Seven** voting members who shall be appointed by the governor in accordance with section 26-34; provided that of these ~~eight~~ **seven** members:
 - (A) One member shall be from the county of Hawaii;
 - (B) One member shall be from the county of Kauai;
 - (C) One member shall be from the county of Maui; and
 - (D) Four members shall be from the city and county of Honolulu.

Thank you for the opportunity to testify on this bill.



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony in SUPPORT of HB2037 HD2
RELATING TO THE HAWAII STATE LESBIAN, GAY, BISEXUAL,
TRANSGENDER, QUEER, PLUS COMMISSION.

SENATOR RUSSELL E. RUDERMAN, CHAIR
SENATE COMMITTEE ON HUMAN SERVICES

SENATOR KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY

Hearing Date: March 9, 2020

Room Number: 016

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health (DOH) supports the intent of HB2037 HD2
3 which is to address disparate treatment, including bullying, for lesbian, gay, bisexual,
4 transgender, queer, plus (LGBTQ) residents.

5 Epidemiological data for this community describes higher rates of adverse conditions such as
6 being victims of targeted violence, behavioral health issues, and communicable disease. These
7 conditions may be exacerbated by social and economic pressure such as employment
8 discrimination or lack of family support.

9 Although the measure requires further refinement for it to be practical, examples like the Hawaii
10 State Commission on the Status of Women are useful models from which to draw. DOH looks
11 forward to the ongoing comprehensive public policy and public administration conversations for
12 and with LGBTQ communities.

13 Thank you for the opportunity to testify.

14



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2020**

ON THE FOLLOWING MEASURE:

H.B. NO. 2037, H.D. 2, RELATING TO THE HAWAII STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, PLUS COMMISSION.

BEFORE THE:

SENATE COMMITTEES ON HUMAN SERVICES AND ON JUDICIARY

DATE: Monday, March 9, 2020

TIME: 3:10 p.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Clare E. Connors, Attorney General, or
Erin N. Lau, Deputy Attorney General

Chairs Ruderman and Rhoads and Members of the Committees:

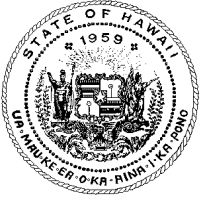
The Department of the Attorney General provides the following comments.

The purposes of the bill are to establish the Hawaii State Lesbian, Gay, Transgender, Queer, Plus (LGBTQ+) Commission within the Department of Human Services, and to establish county committees on LGBTQ+ affairs.

The number of the LGBTQ+ Commission's voting members is inconsistent with the actual number of voting members listed. Specifically, the bill states that the LGBTQ+ Commission is comprised of eight voting members. (See page 3, lines 12-14). The bill further requires that eight voting members be from specific counties, but only accounts for seven voting members. (See page 3, lines 15-18). The bill then later defines quorum to "consist of a majority of the seven appointed members of the commission." (See page 4, lines 7-8).

One way to reconcile the differences is to amend the bill, at page 3, lines 12-14, to change the number of voting members from eight voting members to seven voting members to be consistent with the remainder of the bill. Alternatively, the references to seven voting members may be changed to refer to eight voting members, with the remainder of the bill amended accordingly. However, to reduce the occurrences of tied votes, an odd number of voting members has usually been preferred.

We respectfully request that the Committee consider this amendment. Thank you for the opportunity to provide these comments.



HAWAI‘I CIVIL RIGHTS COMMISSION

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

March 9, 2020
Rm. 016, 3:10 p.m.

To: The Honorable Russell E. Ruderman, Chair
The Honorable Karl Rhoads, Vice Chair
Members of the Senate Committee on Human Services

The Honorable Karl Rhoads, Chair
The Honorable Jarrett Keohokalole, Vice Chair
Members of the Senate Committee on Judiciary

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 2037, H.D. 2

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 (on the basis of disability). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

H.B. No. 2037, H.D. 2, amends the HRS to add a new chapter to establish the Hawai‘i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission..

The HCRC supports H.B. No. 2037, H.D. 2.

The purpose of this chapter to provide for a statewide program, on a permanent and continuing basis, on the status of lesbian, gay, bisexual, transgender, queer, plus people in Hawai‘i.

The civil rights laws that the HCRC enforces prohibit discrimination based on sex, including gender identity or expression, and sexual orientation in employment (HRS chapter 378, part I), public accommodations (HRS chapter 489), and housing (HRS chapter 515). Indeed, the HCRC’s statutory purpose reads: “**§368-1 Purpose and intent.** The legislature finds and

declares that the practice of discrimination because of race, color, religion, age, *sex, including gender identity or expression, sexual orientation*, marital status, national origin, ancestry, or disability in employment, housing, public accommodations, or access to services receiving state financial assistance is against public policy...”

Noting that the new HRS chapter proposed in the bill is modeled after HRS chapter 367 which established the Hawai‘i State Commission on the Status of Women, the HCRC supports H.B. No. 2037, H.D. 2.



March 6, 2020

Senate's Committees on Human Services & Judiciary
Hawaii State Capitol
415 South Beretania Street, Room 016
Honolulu, HI 96813

Hearing: Monday, March 9, 2019 – 3:10 p.m.

RE: **STRONG SUPPORT for House Bill 2037 HD 2**

Aloha Chair Ruderman, Chair Rhoads and fellow committee members,

I am writing in STRONG SUPPORT for House Bill 2037 House Draft 2 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization. HB 2037 HD 1 establishes the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission and the Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission Trust Fund.

It has been 7 years since we passed Marriage Equality here in the Aloha State, while that was a huge milestone for Hawaii's LGBTQIA+ community we have a lot more work to do to ensure Hawaii's LGBTQIA+ community has full equality at every level government and society. We also need to remain vigilant to ensure there is no back sliding for all of the advancements we have made to the lofty goal of equality.

Even with all of the advances we have made here are just some of the difficulties facing Hawaii's LGBTQIA+ community:

- LGBTQIA+ suicide rates are 3 to 4 times than that of their straight and/or cisgender peers
- 85% of LGBTQIA+ students have experienced verbal harassment
- When the State of Hawaii's Department of Health did do a study for Hawaii's LGBTQIA+ community they only included lesbians, gays and bisexuals
- There is no federal law protecting employees from discrimination based on sexual orientation, gender identity and/or expression in the United States.
- Homophobia and transphobia are the most publicly accepted forms of bigotry, harassment and discrimination
- 80% of the transgender population who were employed experienced harassment or mistreatment on the job or took steps to avoid it
- When it comes to statistics about Hawaii's LGBTQIA+ community we have to rely on studies done on the continent or Europe
- When the State of Hawaii's Department of Health did do a study for Hawaii's LGBTQIA+ community they only included lesbians, gays and bisexuals

The LGBT Caucus understands that even when the Commission is established the Commission alone will not be able to solve all of these problems facing Hawaii's LGBTQIA+ community. But just imagine having a Commission, with commissioners from every county, working with other community stakeholders and the ex-officio members representing the Department of Education,

LGBT Caucus Testimony is Strong Support of House Bill 2037 HD 2

University of Hawai'i, Department of Labor and Industrial Relations, Department of Human Services, Department of Human Resources Development, and Department of Health can do to start to address these and other difficulties facing Hawaii's LGBTQIA+ community.

For all these reasons the LGBT Caucus humbly asks that you support HB 2037 HD 2 as it is the right thing to do.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.
Chair



**Where LGBTQIA+ Rights Meets the Labor Movement
A constituency group of the Hawai'i State AFL-CIO**

February 24, 2020

House's Committee on Human Services & Judiciary
Hawaii State Capitol
415 South Beretania Street, Room 016
Honolulu, HI 96813

Hearing: Monday, March 9, 2019 – 3:10 p.m.

RE: SUPPORT for House Bill 2037 House Draft 2

Aloha Chair Ruderman, Chair Rhoads and fellow committee members,

Pride at Work – Hawai'i is an official chapter of Pride At Work which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. We are an officially recognized constituency group of the AFL-CIO that organizes mutual support between the organized Labor Movement and the LGBTQIA+ Community to further social and economic justice.

With all the advances that the LGBTQIA+ community has made there is still a lot of work left to be done. Especially with the assault on LGBTQIA+ rights that we are seeing at the Federal level.

This commission will help to keep the gains we have made while working to ensure everyone in Hawaii's diverse LGBTQIA+ community are treated equally and fairly from the playground to the boardroom and every place in-between.

Pride at Work – Hawai'i humbly asks that you support HB 2037 HD 2.

In solidarity,

Pride at Work – Hawai'i

Statement Before The
SENATE COMMITTEE ON HUMAN SERVICES
AND
SENATE COMMITTEE ON JUDICIARY
Monday, March 9, 2020
3:10 PM
State Capitol, Conference Room 016

in consideration of
HB 2037, HD2
RELATING TO THE HAWAII STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, PLUS COMMISSION.

Chairs RUDERMAN and RHOADS, Vice Chairs RHOADS and KEOHOKALOPE, and Members of the Senate Human Services and Judiciary Committees

Common Cause Hawaii provides comments in support of HB 2037, HD1, which would establish the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission ("Commission").

Common Cause Hawaii is a nonprofit, nonpartisan, grassroots organization dedicated to reforming government and strengthening democracy - one that works for everyone and not just the special, monied interests.

Common Cause Hawaii understands that the lesbian, gay, bisexual, transgender, queer, plus community is at an elevated risk of societal inequality and disadvantage through bullying and ostracism. Understanding how to address and remedy this inequality and disadvantage will lead to a more successful democratic society and effective democratic government, which is the intent of HB 2037, HD1. The Commission will reduce barriers that have made it more difficult for the Lesbian, Gay, Bisexual, Transgender, Queer, Plus community to participate in our democracy.

Thank you for the opportunity to comment in support of HB 2037, HD1. If you have further questions of me, please contact me at sma@commoncause.org.

Very respectfully yours,

Sandy Ma
Executive Director, Common Cause Hawaii

IRON WORKERS STABILIZATION FUND

March 9, 2020
3:10 pm

Senate Committee on Human Services
Senate Committee on Judiciary
Conference Room 016
State Capitol
415 South Beretania Street

Re: HB2037 HD2 - RELATING TO THE HAWAII STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER, PLUS COMMISSION.

Aloha Chair Rudderman, Chair Rhoads and members of the Senate Committees on Human Services and Judiciary:

We **SUPPORT** the intent of HB2037 HD2. This bill, if enacted, will establish the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission and appropriates funds. We support the rights of our LGBTQ+ community and understand that such a commission will help to better the enforcement of those rights. We recall that “an injury to one, is an injury to all” and so we stand in solidarity with our LGBTQ+ community.

Sincerely,

T. George Paris
Managing Director

TGP: MP

HB-2037-HD-2

Submitted on: 3/8/2020 10:05:32 AM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Laurie Field	Testifying for Planned Parenthood Votes Northwest and Hawaii	Support	No

Comments:

HB-2037-HD-2

Submitted on: 3/8/2020 1:30:14 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ian F Tapu	Testifying for Lambda Law Students Association	Support	No

Comments:

Talofa Chair Ruderman, Chair Rhoads, Vice Chair Keohokalole and Honorable Members of the Judiciary and Human Services Committees:

My name is Ian Tapu and I am third-year student at the William S. Richardson School of Law. I write to express my strong support of HB 2037 in my personal capacity as a queer Polynesian man and in my capacity as the President of the Lambda Law Students Association.

I will always remember an article that we were required to read for class by Professor Matsuda entitled "A Richardson Lawyer." She described a forum CJ Richardson spoke at, and in particular, emphasized one sentence that best captured his jurisprudence, philosophy, and spirit: "Think of the little guy, the guy downstream."

As our legislators, you have the wonderful opportunity to think of a community of people who have, for far too long and for a variety of reasons, been kept downstream. This bill will not only affirm our identities and our place in the fabric of Hawai'i, but it will provide coordinated state action in fighting prejudice and discrimination. The work the commission will do, will amplify and connect the ongoing work that individuals, community members, nonprofits, and educational institutions such as the UH law school are doing. I encourage your committees to support HB 2037.

Fa'afetai tele lava for your time and consideration.

Ian Tapu

HB-2037-HD-2

Submitted on: 3/8/2020 5:17:18 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Causha A Spellman	Testifying for GLSEN-HI	Support	No

Comments:

GLSEN-HI strongly supports HB 2037 HD2, which will create the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus (LGBTQ+) Commission. The Hawaii State Department Health was the first health department in the country to publish both a sexual and gender minority health report (2017) and a follow-up report which focused on transgender youth (2018). These reports and the resulting Sexual and Gender Minority Work Group have highlighted the need for a statewide comprehensive strategy for our LGBTQ+ community to address related health disparities and social inequities in Hawaii. GLSEN-HI believes that in order to confidently and transparently serve the LGBTQ+ communities of Hawaii, that a commission to assess the work currently being done, identify the continued needs of the LGBTQ+ communities here in Hawaii, and implement actions as appropriate, is one of the ways to best serve our LGBTQ+ communities of Hawaii. We hope that you will stand with us in supporting the LGBTQ+ commission.

HB-2037-HD-2

Submitted on: 3/8/2020 11:07:01 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rainbow	Testifying for Rainbow Family 808	Support	Yes

Comments:

Rainbowfamily808 strongly supports HB2037 in order that our Hawai'i State acts in agreement of Our Equal Rights responsibility to ALL citizens within our state. Thank you for hearing this bill.

For over 30 years Hawai'i has supported the Bureau on the Status of Women and is today a model of how Hawai'i can address to safeguard, protect and defend an At Risk population. Now is the time to establish a LGBTIQA Bureau within our government.

Rainbow Family 808 is a nonprofit based on education, advocacy and support of ALL family sizes and strongly asks that HB2037 be passed post haste without excuses and delays. Justice delayed is delayed as Dr. Martin Luther King said and is still a truth I am today.

Thank you in advance for the speedy passing of HB2037.

Sincerely,

Carolyn Martinez Golojuch, MSW

Founding President- Rainbowfamily808

HB-2037-HD-2

Submitted on: 3/6/2020 2:53:31 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Justin Salisbury	Individual	Support	No

Comments:

HB-2037-HD-2

Submitted on: 3/6/2020 4:01:04 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jen Jenkins	Individual	Support	No

Comments:

Aloha Chairs Ruderman& Rhoads, and Honorable Committee Members:

My name is Jen Jenkins, and I write in SUPPORT of HB2037 HD2, which would create a Lesbian, Gay, Bisexual, Transgender, Plus (“LGBTQ+”) Commission. The creation of an LGBTQ+ commission would provide Hawai’i with an agency that serves and recognizes some of the most vulnerable members of our community.

Respectfully,

Jen Jenkins

HB-2037-HD-2

Submitted on: 3/6/2020 6:42:51 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kamuela Werner MPH	Individual	Support	No

Comments:

HB-2037-HD-2

Submitted on: 3/6/2020 5:21:43 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Individual	Support	No

Comments:

I strongly support HB2037 to establish the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus (LGBTQ+) Commission.

This commission is long overdue and needed. There are some in the community who believe that with the passage of marriage equity the fight is over. The opposite is true – the fight must continue. Why? Even with the laws on the books, there is still discrimination going on in housing, elder care, jobs, adoptions, and visitor support to name a few. Further, the police forces have not fully implemented the hate crimes law that allows for those attacks against the LGBTQ+ to be properly identified. The passage of this bill will allow the commission to interact with state and county officials as well as the private sector. It will finally allow one central point for LGBTQ+ issues to be heard with appropriate follow-up.

Although a straight ally, I have worked with a variety of LGBTQ+ organizations and firmly believe this commission is warranted. I have also heard the individual stories of being beaten, fired, thrown out of their homes, and denied various benefits or proper care. Please pass HB2037.

Thank you for allowing me to provide my comments in favor of HB2037.

Sincerely,

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

Secretary/Board Member, Rainbow Family 808

Secretary/Board Member, Pride at Work

HB-2037-HD-2

Submitted on: 3/6/2020 7:51:34 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joshua Kay	Individual	Support	No

Comments:

I am in **strong support** of HB2037 HD2.

HB-2037-HD-2

Submitted on: 3/7/2020 10:56:47 AM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Robinson-Onderko	Individual	Support	No

Comments:

HB-2037-HD-2

Submitted on: 3/7/2020 11:33:16 AM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ellen Godbey Carson	Individual	Support	No

Comments:

I write in support of this bill. Hawaii has been a leader in creating better legal protections for our LGBTQ community, but members of that community continue to suffer dramatically increased risks of suicide, harassment, discrimination, abandonment and stigmatization. There is much more we can and should be doing to be a land of Aloha for all. Creating a commission to focus research and policy analysis on this issue would do much to create stronger networks, policies, and safety to benefit our friends, neighbors and family who are LGBTQ+. Please pass this bill.

HB-2037-HD-2

Submitted on: 3/7/2020 5:21:43 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thaddeus Pham	Individual	Support	No

Comments:

Aloha,

As a public health professional and community member, I unequivocally support HB 2037 HD2, which will create the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus (LGBTQ+) Commission.

The Hawaii State Department Health was the first health department in the country to publish both a sexual and gender minority health report (2017) and a follow-up report which focused on transgender youth (2018). These reports and the resulting Sexual and Gender Minority Work Group have highlighted the need for a statewide comprehensive strategy for our LGBTQ+ community to address related health disparities and social inequities in Hawaii.

Please help us keep our keiki and families healthy and productive.

Mahalo,

Thaddeus Pham

HB-2037-HD-2

Submitted on: 3/7/2020 3:34:15 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Soul Dancer	Individual	Support	No

Comments:

Over the past 30 years as an out, gay social worker I've experienced first-hand physical and emotional abuse both privately and professionally by those who say they practice Aloha. Approval and funding of HB2037 provides key steps to collaborate locally (neighborhoods) and inter-island on ways to identify and reduce abuse by those seek to abuse someone based on their actual or perceived sexual orientation. Once this Commission is operational I seek out ways to work with this Commission.

HB-2037-HD-2

Submitted on: 3/8/2020 9:10:41 AM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melvin Paris	Individual	Support	No

Comments:

HB-2037-HD-2

Submitted on: 3/8/2020 9:11:17 AM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Henrietta Paris	Individual	Support	No

Comments:

HB-2037-HD-2

Submitted on: 3/8/2020 9:11:46 AM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anthony Makana Paris	Individual	Support	No

Comments:

HB-2037-HD-2

Submitted on: 3/8/2020 2:15:09 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Alika Masei	Individual	Support	No

Comments:

I support HB2037 as an educator who actively supports LGBTQ+ students. I believe the LGBTQ+ Commission will positively impact people, youth especially, who are of non-traditional sexual orientations and gender identities.

Sincerely,

Alika Masei

HB-2037-HD-2

Submitted on: 3/8/2020 7:10:24 PM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
John Bickel	Individual	Support	No

Comments:

The LGBT community has experienced historic discrimination. A commission would help keep the bad old days in the past.

HB-2037-HD-2

Submitted on: 3/9/2020 7:52:21 AM

Testimony for HMS on 3/9/2020 3:10:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Heede	Individual	Support	No

Comments:

HB- 2037 HD2

Hearing: HMS/JDC March 9, 2020 3:10 p.m.

Chairs: Ruderman and Rhoads

Aloha Chairs Ruderman and Rhoads and Members of both Committees:

I write in favor of this bill to create a statewide LGBTQ commission in order to address and advocate for the special issues, needs and concern that this segment of our community badly needs. It is estimated that as much as 1 out of 8 of adolescent youth (ages 13 to 18) belong in this population group. Issues of bullying, consent for health services for LGBT&Q minors, and identity choices are just some that needs to be addressed.

There may be a concern in terms of funding such an independent commission. Should that be the case, I would recommend that should such a commission be established, that it be combined with the Commission on the Status of Women because of the expertise, advocacy role and similar mission that that existing commission currently perform. Perhaps an expansion of the support staff will help the current director to absorb the additional duties and responsibilities of the commission.

Mahalo for your consideration



HB2037 HD2
RELATING TO THE HAWAI'I STATE LESBIAN, GAY, BISEXUAL, TRANSGENDER, QUEER,
PLUS COMMISSION

Senate Committee on Human Services
Senate Committee on Judiciary

March 9, 2020

3:10 p.m.

Room 016

The Office of Hawaiian Affairs (OHA) offers the following **COMMENTS** on HB2037 HD2, which would create a Lesbian, Gay, Bisexual, Transgender, Queer, Plus (LGBTQ+) Commission. This measure would provide a meaningful and permanent way to ensure that our LGBTQ+ community members'—including lesbian, gay, bisexual, transgender, queer and questioning, gender non-conforming, gender non-binary, and any other sexual and gender minorities—unique issues and needs are documented, considered, and valued in policymaking and programmatic facilitation.

Gender and sexual orientation minorities 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 LGBTQ+. In pre-colonial Hawaiian culture and society, aikāne and mähū were even revered and maintained special roles in society and in certain cultural practices.¹ Currently, over 1 in 10 public high school students in the state identify as lesbian, gay, bisexual, or queer (LGBQ) (including youth who are "questioning" their sexuality), with 22% of these youth being Native Hawaiian.² Over 3% of adults in Hawai'i also identify as lesbian, gay, or bisexual (LGB), with approximately 18% of the adult LGB population being Native Hawaiian.³ Moreover, Hawai'i ranks first in the nation with the highest proportion of its population composed of transgender adults,⁴ and three percent of Hawai'i's high-school-aged youth identify as transgender, with 25% of these youth being Native Hawaiian.⁵

Unfortunately, our community today does not meaningfully acknowledge and accommodate our LGBTQ+ communities, resulting in various forms of systemic and invidious

¹ See, e.g., NOENOE SILVA, *ALOHA BETRAYED: NATIVE HAWAIIAN RESISTANCE TO AMERICAN COLONIALISM* (2004); Lilikalā Kame'eleihiwa, *Le'ale'a o nā Kūpuna: Traditional Hawaiian Sexuality*, Ke Ola Mamo Conference (1999); Keith Bettinger, *Historically Speaking: A quick look at homosexuality and gender roles in pre-contact Hawai'i*, HONOLULU WEEKLY, Jun. 20-26, 2007.

² HAWAI'I STATE DEPARTMENT OF HEALTH, *HAWAI'I SEXUAL & GENDER MINORITY HEALTH REPORT 2017 14* (2017), available at <https://health.hawaii.gov/surveillance/files/2017/05/HawaiiSexualandGenderMinorityHealthReport.pdf>. This DOH report focused primarily on LGBQ youth, and its study published in the following year, 2018 focused specifically on transgender youth.

³ *Id.* at 26.

⁴ WILLIAMS INSTITUTE, *HOW MANY ADULTS IDENTIFY AS TRANSGENDER IN THE UNITED STATES?* 3 (2016).

⁵ 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>.

discrimination and persistent socioeconomic and health disadvantages not reflective of Hawai'i's cultural history and traditional values. Hawai'i's LGBTQ+ youth suffer from poor access to healthcare and health outcomes,⁶ high incidence of substance abuse,⁷ high incidence of sexual and emotional abuse by a partner,⁸ bullying in schools and poor educational outcomes,⁹ and poor mental health with high rates of self-harm and suicidal ideation.¹⁰ Despite a notable presence in Hawai'i, nearly half of all transgender youth live in unstable housing situations compared to only 6 percent of cisgender youth.¹¹ And Hawai'i's LGB adults report similarly dismal experiences:¹² Hawai'i's LGB adults, especially women, experience health disparities, particularly in rates of chronic diseases and conditions;¹³ poor mental health;¹⁴ high rates of physical and sexual violence;¹⁵ and higher incidence of risky behavior.¹⁶ Although more than half of LGB adults have received higher education, they also earn much less than heterosexual adults overall.¹⁷

Despite being recognized and included in positions of reverence in the Hawaiian Kingdom and in pre-contact Hawai'i, LGBTQ+ people in Hawai'i face significant adversities today. Their exclusion from consideration or recognition in government policies and programs may not only perpetuate such adversities, but may also limit our society from realizing and benefiting from its members' true and full potential. By establishing a body to improve the State's policymaking and programming with respect to our LGBTQ+ community, this measure would take an important first step toward better supporting this segment of our community and improving their lives, and thereby benefitting our society overall.

Mahalo piha for the opportunity to testify on this measure.

⁶ *Supra* note 2 at 15-16.

⁷ *Id.* at 18.

⁸ *Id.* at 20.

⁹ *Id.* at 20 & 25.

¹⁰ *Id.* at 22.

¹¹ *Id.*

¹² This DOH study limited its adult aggregated data to LGB adults, indicating that the adult transgender population and sample size was so small as to be insufficient to support reporting the data collected by the Department of Health. *Supra* note 5, at 23.

¹³ *Supra* note 2 at 30.

¹⁴ *Id.* at 36.

¹⁵ *Id.* at 35.

¹⁶ *Id.* at 34.

¹⁷ *Id.* at 26.