



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

**Testimony in SUPPORT of HB1096 HD2  
RELATING TO PARENTAGE.**

SEN. KARL RHOADS, CHAIR  
SENATE COMMITTEE ON JUDICIARY

Hearing Date: April 1, 2021

Room Number: N/A

- 1 **Department Testimony:** The Department of Health (DOH) supports convening a task force to
- 2 recommend amendments that assure parity for all families, regardless of sex or gender
- 3 identification, with regard to parental rights and responsibilities.
- 4 The department looks forward to working with stakeholders and the Legislature to achieve a
- 5 more fair system for all Hawaii's families. Thank you for the opportunity to testify.

**HB-1096-SD-1**

Submitted on: 3/25/2021 5:30:17 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b>               | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|-----------------------------------|---------------------------|---------------------------|
| Mike Golojuch, Sr.  | Testifying for Rainbow Family 808 | Support                   | No                        |

Comments:

Rainbow Family 808 strongly supports HB1096. Since we believe inclusion is a vital part of any task force, we want to be sure that LGBTQ+ parents are included as part of the task force. Please pass this bill.

Mike Golojuch, Sr., Secretary, Rainbow Family 808

**HB-1096-SD-1**

Submitted on: 3/26/2021 9:43:32 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b>  | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--|---------------------------|---------------------------|
| Laurie Field        | Testifying for Planned Parenthood Votes Northwest and Hawaii | Support                   | No                        |

Comments:

Planned Parenthood Votes Northwest and Hawaii supports HB 1096, SD1. Thank you!

**HB-1096-SD-1**

Submitted on: 3/28/2021 8:54:35 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b>  | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--|---------------------------|---------------------------|
| Michael Golojuch Jr | Testifying for LGBT Caucus of the Democratic Party of Hawaii | Support                   | No                        |

Comments:

Aloha Senators,

The LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization, fully supports HB 1096 HD2 SD1.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.

Chair

LGBT Caucus of the Democratic Party of Hawai'i



TO: Senate Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Jarett Keohokalole, Vice Chair

DATE: Thursday, April 1 , 2021

FROM: AF3IRM Hawai'i

RE: SB 900- Relating to Parentage  
Position: SUPPORT

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. AF3IRM Hawai'i **supports this measure** and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. We urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**Sarah Michal Hamid,**  
**AF3IRM Hawai'i**





## Hawaii Women's Coalition

TO: Senate Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Jarett Keohokalole, Vice Chair

DATE: Thursday, April 1 , 2021

FROM: Hawai'i Women's Coalition

RE: SB 900- Relating to Parentage  
Position: SUPPORT

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. The Hawai'i Women's Coalition **supports this measure** and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. We urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

We thank you for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

ADOPTION CIRCLE OF HAWAII  
[adoptioncirclehawaii@gmail.com](mailto:adoptioncirclehawaii@gmail.com)

PO Box 10304  
Honolulu HI 96816-0304

March 29, 2021

TO: Sen. Karl Rhoads, Chair  
Sen. Jarrett Keohokalole, Vice Chair  
Members of Senate Judiciary Committee

FR: Adoption Circle of Hawaii

RE: H.B. 1096, HD2, SD1 - Relating to Parentage

POSITION: Comments & Request to Participate on Task Force

The Adoption Circle of Hawaii (ACH) was created in 1989, as an advocacy and support organization for members of the adoption triad - birthparents, adoptees, and adoptive parents. Our members represent the triad and include an educator, healthcare provider, psychologist, social workers, and social justice advocates. ACH members offer community education through their lived experience as triad members and provide support and free counsel to those who are seeking to re-connect with their family members separated through closed adoptions.

Beginning in the 1940's and still in practice in many states, closed adoptions include sealing the adoptee's original birth certificate and issuing an amended certificate to reflect the adoptive parents as legal parents along with a name change of the adoptee. However, research about these 20th century practices of sealed birth certificates, revealed adoptees' emotional trauma and adverse psychological impacts resulting from the secrecy around their birth identity.

An adoptive parent once shared the following story that explains the above. While living on the mainland, this family adopted two toddlers in foster care in a Chinese orphanage. As Caucasian parents, clearly they were not the birth parents of two Asian girls. These parents had been openly communicating with their daughters about their origins. Yet, at age 5, one of the girls asked their adoptive parent "You mean there was no one in all of China who could take care of me after my birth mother left me?" At 5 years old, this child was very aware that they were being raised apart from their birth origins, and concerned enough to ask about it.

A child, at birth, does not have a voice in choosing who is listed as their parent on their original birth certificate. Present law allows that is determined by their birth parent, donor/surrogate parents, or adoptive parent. Creating a law that would allow a child's original birth certificate to reflect a parent's legal relationship, rather than the child's birth identity, is essentially state-sanctioned identity theft. The original birth certificate, along with an amended certificate granting legal parentage, both preserves birth identity and tells the child's whole story. To be truthful of the child's origins, the "certificate of live birth" should preserve the biological and/or genetic parentage of the mother and father. In the current practice of adoption, an amended birth certificate shows legal parentage.

There must be a way to accommodate preserving a child's birth identity on their original birth certificate while offering our LGBTQ community legal parenting with their spouse or partner. The Adoption Circle of Hawaii is willing to participate in the Task Force and offer our insights in the development of a proposal that will achieve the appropriate balance of rights while preserving a child's birth identity.





## Testimony in Support of HB 1096, HD 2, SD 1 - Relating to Parentage

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. While this testimony is not the official opinion of the University of Hawai'i, it is informed by 20 years experience with UH Mānoa and as Director of the LGBTQ+ Center at UH Mānoa.

**I am writing to strongly support this measure** and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Camaron Miyamoto

A handwritten signature in purple ink, appearing to read 'Camaron Miyamoto'.

Director, LGBTQ+ Center  
University of Hawai'i at Mānoa

Queen Lili'uokalani Center for Student Service 211-C  
2600 Campus Road Honolulu, Hawai'i 96822-2205  
Telephone: (808) 956-9250 Fax: (808) 956-9314  
Email: LGBTQ@hawaii.edu

An Equal Opportunity/Affirmative Action Institution

**HB-1096-SD-1**

Submitted on: 3/29/2021 5:14:17 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By  | Organization                  | Testifier Position | Present at Hearing |
|---------------|-------------------------------|--------------------|--------------------|
| Noah Humphrey | Testifying for AF3IRM Hawai'i | Support            | No                 |

Comments:

**Chair Rhoads, Vice-Chair Keohokalole, and members of the Senate Committee on Judiciary,**

**Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I and the following group AF3IRM Hawai'i support[s] this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. We urge you to pass this measure that calls to convene a task force to address the ongoing legal discrimination against LGBTQ+ parents.**

**As a future healer, I aim to help those in need and to give power to marginalized communities. I am a 1st year Masters of Divinity student at Yale Divinity School, No matter the institution or religious upbringing I believe that my faith calls me to help those who are in need. I believe that the LGBTQ+ community should not be barred from being parents based on their identity, sexual orientations, or other means. We need to do better in bringing peace. The transactions that harm children in that they won't have their foster parents due to the lifestyle they choose is wrongful. I believe that this bill would help address not only the legal discrimination but would help to bring hope and love to areas that have not been addressed.**

**A task force to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.**

**Noah Humphrey**

**On behalf of AF3IRM Hawai'i**



# ASUH

Associated Students of the University of Hawai'i  
**YOUR STUDENT GOVERNMENT**

To: Senate Committee on Judiciary  
Senator Karl Rhoads, Chair  
Senator Jarrett Keohokalole, Vice-Chair

Date: Thursday, April 1, 2021

Time: 9:35 AM

**Re: IN SUPPORT OF HB1096 HD 2 SD1: RELATING TO PARENTAGE**

Dear Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096 HD 2 SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Donovan Kamakani Albano, and I am the President of the Associated Students of the University of Hawai'i at Mānoa, the undergraduate student government that represents over 10,000 full-time classified undergraduates. **ASUH Mānoa supports this measure and we urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.**

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - where LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

ASUH Mānoa unanimously passed Senate Resolution 03-21: In Support of the Amendment of the Uniform Parentage Act. We affirm that the Uniform Parentage Act (UPA) relies on cis-heteronormative terms such as ‘paternity,’ ‘natural mother,’ and ‘natural father,’ which explicitly exclude those who do not fit into a cis-heteronormative model. We view the UPA in its current form as explicitly privileging cisgender heterosexual individuals and discriminating against the LGBTQIA+ community. We also view parentage and family as not being inherently biological or gendered, and view the right to parent as being inalienable. We support the inclusion of non-cisheteronormative gender-neutral language and non-cisgender male parents in the voluntary declaration of parentage in the UPA. ASUH also recognizes that the rejection of non-binarist cisheteronormative sex and gender is intrinsically tied to colonialism.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

The ASUH urges the state legislature to pass measures that eliminate discrimination against LGBTQ+ parents. Mahalo for your dedication to LGBTQIA+ rights in Hawai'i and the opportunity to testify on this measure.

Donavan Kamakani Albano  
President, Associated Students of the University of Hawai'i at Mānoa (ASUH)

**ASSOCIATED STUDENTS OF THE UNIVERSITY OF HAWAI‘I AT MĀNOA**  
**2465 Campus Road, Campus Center 211A**  
**Honolulu HI 96822**

**A RESOLUTION**

**IN SUPPORT OF THE AMENDMENT OF THE UNIFORM PARENTAGE ACT**

**BE IT ENACTED BY THE UNDERGRADUATE SENATE:**

*WHEREAS,* the Associated Students of the University of Hawai‘i at Mānoa Senate is the elected body representing approximately 10,000 full-time classified undergraduate students; and,

*WHEREAS,* The Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual/Aromantic and other community (LGBTQIA+ community), although not a universal definition, consists of people of varied genders, sexes, and sexualities not covered under western binary cisgender and heterosexual systems such as those who are pansexual, polyamorous, non-binary, or Māhū; and,

*WHEREAS,* The University of Hawai‘i at Mānoa is the home to student services and Registered Independent Organizations dedicated to maintaining the well-being of students who are parents and/or LGBTQIA+ by upholding Board of Regents Policy 1.205, the policy on nondiscrimination and affirmative action; and,<sup>1</sup>

*WHEREAS* a 2019 survey by Gallup estimated that 4.6% of Hawai‘i’s adult population identified as Lesbian, Gay, Bisexual, or Transgender making up 4.6% of Hawai‘i’s population; and,<sup>2</sup>

*WHEREAS,* The estimate of 4.6% of Hawai‘i’s adult population is under-representative of those who may enter partnerships not between a cisgender heterosexual man and cisgender heterosexual

---

<sup>1</sup> Quinn, C. (2014, October). *Board of Regents Policy 1.205: Policy on Nondiscrimination and Affirmative Action*. <https://hawaii.edu/policy/?action=viewPolicy&policySection=rp&policyChapter=1&policyNumber=205>

<sup>2</sup> Kastanis, A., Conron, K., Goldberg, S., Strieker, M., & Gate, G. (2019, January). *LGBT Proportion of Population: Hawaii*. <https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/?topic=LGBT&area=15>.

woman, as this study did not account for those who did not disclose their sexual orientation or gender, were questioning their identities at the time, or are part of the LGBTQ+ community but not necessarily lesbian, gay, bisexual, or transgender; and,

*WHEREAS,* 30%, nearly 1 out of every 3 LGBT identifying respondents were age 25 or older, and raising children; and,<sup>3</sup>

*WHEREAS,* the Uniform Parentage Act (UPA) relies on cis-heteronormative terms such as “paternity,” “natural mother,” and “natural father” which explicitly exclude those who do not fit into a cis-heteronormative model; and,<sup>4</sup>

*WHEREAS,* the terms “parentage”, "gestational parent", and "non-gestational parent" would functionally describe parentage without unnecessarily excluding those who do not fit into a cis-heteronormative model; and,

*WHEREAS,* the UPA’s gendering of parentage and most notably §584-3.5 Expedited Process of Paternity exclusively allows cisgender men to voluntarily declare parentage in the form of paternity; and,<sup>5</sup>

*WHEREAS,* the process of declaring parentage contributes significant financial and emotional burdens for pairs consisting of a gestational parent and non-cisgender male partner; and

*WHEREAS,* the exclusion of non-cisgender male parents from the voluntary declaration of parentage explicitly privileges those of cisgender and heterosexual identities over the LGBTQIA+ community; and

*WHEREAS,* during the thirty-first session of the Hawai‘i State Legislature (2021), SB 618 and HB 1096 were introduced; and

*WHEREAS,* SB 618 amends the Uniform Parentage Act to allow non-gestational partners to voluntarily establish parentage of a child during the period immediately prior to or following the birth of the child and requires the State to recognize parentage determinations from other states and territories<sup>6</sup>; now therefore,

---

<sup>3</sup> Kastanis, A., Conron, K., Goldberg, S., Strieker, M., & Gate, G. (2019, January). *LGBT Proportion of Population: Hawaii*. <https://williamsinstitute.law.ucla.edu/visualization/lgbt-stats/?topic=LGBT&area=15>.

<sup>4</sup> Uniform Parentage Act, 31 H.R.S. § 584-1 et seq. (2021).  
[https://www.capitol.hawaii.gov/hrscurrent/Vol12\\_Ch0501-0588/HRS0584/](https://www.capitol.hawaii.gov/hrscurrent/Vol12_Ch0501-0588/HRS0584/)

<sup>5</sup> Uniform Parentage Act, 31 H.R.S. § 584-3.5 (2021).  
[https://www.capitol.hawaii.gov/hrscurrent/Vol12\\_Ch0501-0588/HRS0584/HRS\\_0584-0003\\_0005.htm](https://www.capitol.hawaii.gov/hrscurrent/Vol12_Ch0501-0588/HRS0584/HRS_0584-0003_0005.htm)

<sup>6</sup> [https://www.capitol.hawaii.gov/session2021/CommReports/SB618\\_SD1\\_SSCR494\\_.htm](https://www.capitol.hawaii.gov/session2021/CommReports/SB618_SD1_SSCR494_.htm)

*BE IT RESOLVED,* the ASUH supports the LGBTQIA+ community, and recognizes that the fight for LGBTQIA+ civil rights is far from over; and,

*BE IT RESOLVED,* the ASUH recognizes the rejection of non-binarist cisheteronormative sex and gender as being intrinsically tied to colonialism; and,

*BE IT RESOLVED,* the ASUH views the right to parent as being inalienable; and,

*BE IT RESOLVED,* the ASUH views parentage and family as not being inherently biological or gendered; and,

*BE IT RESOLVED,* the ASUH views the UPA in its current form as explicitly privileging cisgender heterosexual individuals, and discriminating against the LGBTQIA+ community; and,

*BE IT RESOLVED,* the ASUH supports the inclusion of non-cisheteronormative gender-neutral language in the UPA; and,

*BE IT RESOLVED,* the ASUH supports the inclusion of non-cisgender male parents in the voluntary declaration of parentage; and,

*BE IT RESOLVED,* the ASUH urges the state legislature and respective committees to hear and pass SB 618 and HB 1096; and,

*BE IT FURTHER RESOLVED,* the ASUH calls on the University of Hawai‘i at Mānoa to review and replace cisheteronormative language with those more inclusive, such as the inclusion of non-binary gender markers within the university system; and,

*BE IT FURTHER RESOLVED,* the ASUH calls on the University of Hawai‘i at Mānoa to implement LGBTQIA+ supportive practices such as the funding of gender-inclusive restrooms and facilities, and active recruitment of transgender and non-binary athletes; and,

*NOW, THEREFORE, BE IT FINALLY RESOLVED,* that copies of this resolution shall be sent to: the University of Hawai‘i Board of Regents Chair Benjamin Kudo and Members, President David Lassner, Provost Michael Bruno, Interim Vice Chancellor for Students Lori Ideta, the Graduate Student Organization, Ka Leo O Hawai‘i, Director of LGBTQ+ Center Camaron Miyamoto, Student Parents at Mānoa Coordinator Angie Solomon, Director of Student Equity, Excellence and Diversity (SEED) Christine Quemuel, Vice President for Administration Jan Gouveia, Community Co-chair, DOH Sexual and Gender Minority Workgroup & Policy Lead Jen Jenkins, Senator Baker, Senator Chang, Senator Misalucha, Senator San Buenaventura, Senator English, Senator Keith-Agaran, Senator Nishihara,



Senator Shimabukuro, Representative Sayama, Representative Ichiyama, Representative Kapela, Representative Marten, Representative Mizuno, Representative Perruso, Representative Tam, Representative Wildberger, Representative D. Kobayashi, Chair of LGBT Caucus of the Democratic Party of Hawai'i Michael Golojuch, Jr., and Executive Director of the Hawai'i State Commission on Status of Women Khara Jabola-Carolus

**ROLL CALL VOTE TO APPROVE SENATE RESOLUTION 03-21: IN SUPPORT OF THE AMENDMENT OF THE UNIFORM PARENTAGE ACT**

**Aye(s): [14]** Vice President Kim, Interim Treasurer Saari, Senator-At-Large Anuszcewska, Senator-At-Large Kaeo, Senator Baguio, Senator Basim, Senator Chua, Senator Crowell, Senator Garrett, Senator Hokama-Paris, Senator Kirwan, Senator Renteria, Senator Sabandal, Senator Taira

**Naye(s): [0]**

**Abstention(s): [0]**

**APPROVED AND ADOPTED BY THE 108TH SENATE THE 3RD OF MARCH 2021**



Committee: Committee on Judiciary  
Hearing Date/Time: Thursday, April 1, 2021, 9:35 a.m.  
Place: Via videoconference  
Re: Testimony of the ACLU of Hawai'i in Support of H.B. 1096, H.D.2, S.D.1, Relating to Parentage

Dear Chair Rhoads, Vice Chair Keohokalole, 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. 1096, H.D.2, S.D.1**, which requires the Department of Health to convene a task force to recommend amendments to update Hawai'i's outdated and discriminatory parentage laws.

Hawai'i's parentage laws do not account for those who fall outside of cisheteronormative concepts of family and this discrimination has devastating consequences for LGBTQ+ parents and their children. For example, state law does not allow unmarried non-birthing partners to voluntarily establish parenthood at the time of their child's birth unless they identify as male. This means that while a male-identified, non-birthing parent who is not married to their birthing partner is able to voluntarily establish parentage and be included on their child's birth certificate, a non-birthing, non-male-identified parent is forced to obtain costly postpartum adoption decrees for legal recognition as their child's valid parent. Recognition of parentage on a child's birth certificate carries implications for school enrollment, authority to make health care decisions, and the ability to cross international borders. This insulting two-tiered system results in what is essentially a queer parent penalty, raises serious constitutional concerns, and is in direct conflict with Hawai'i's various nondiscrimination laws.

For these reasons, ACLU of Hawai'i urges the Committee to support this measure. Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Mandy Fernandes".

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 over 50 years.*

American Civil Liberties Union of Hawai'i  
P.O. Box 3410  
Honolulu, Hawai'i 96801  
T: 808.522-5900  
F: 808.522-5909  
E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
[www.acluhawaii.org](http://www.acluhawaii.org)



March 31, 2021

Senator Karl Rhoads, Chair  
Senate Committee on Judiciary

**Re: H.B. 1096 H.D.2 S.D. 1, Relating to Parentage**

**Hearing: April 1, 2021, 9:35am, Via Videoconference**

Dear Chair Rhoads and Members of the Committee on Judiciary:

Hawaii Women Lawyers ("HWL") submits testimony **in support** of H.B. 1096, H.D.2, S.D. 1, which requires the department of health to convene a task force to recommend amendments to the Hawaii Revised Statutes to update existing parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights.

The mission of Hawaii Women Lawyers is to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

HWL supports the creation of a task force to focus on equality issues between biological and non-biological parents for establishing parentage, regardless of gender identity or gestational arrangements. For many families who do not currently have the ability to establish voluntary parentage (whether same or opposite sex, partnered or single), they may expend significant amounts of resources and face other barriers in growing their families. By allowing a process to establish parentage rights, all families will have more certainty at the time a child is born.

HWL believes that the task force should take a comprehensive look at the Uniform Parentage Act to make sure that any changes made are also inclusive of male same sex couples, or opposite sex couples who use a gestational carrier as a surrogate.

We would encourage that the task force look at other states like California where a parentage process allows for a pre-birth order to be obtained via a court procedure. This process would provide certainty for intended parents, gestational and non-gestational carriers, and create a path to put the names of the intended parents on the birth certificate before birth.

For the above reasons, we support the intent of H.B. 1096, H.D.2, S.D. 1 and respectfully request that the Committee pass this measure.

**HB-1096-SD-1**

Submitted on: 3/25/2021 4:45:52 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| cheryl B.           | Individual          | Support                   | No                        |

Comments:

Support

Please support this bill. For too long "laws" have legislated what a family should look like. We all know that family consists of many structures. It is time for Hawai`i to stand and make a statement that families, all families are truly valued and important.

**HB-1096-SD-1**

Submitted on: 3/26/2021 9:15:08 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Shandhini Raidoo    | Individual          | Support                   | No                        |

Comments:

Aloha,

I am writing this testimony in strong support of HB1096. As an obstetrician-gynecologist, I care for many different types of families during their pregnancy and childbirth process. Every family in Hawaii deserves the same rights to establish parentage at birth and to build their families the way that they choose, regardless of gender identity. The Uniform Parentage Act should include all people in Hawaii who undertake the journey of parenting and family-building.

Thank you for your support of HB1096,

Shandhini Raidoo, MD, MPH

**HB-1096-SD-1**

Submitted on: 3/26/2021 5:15:19 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Dara Carlin, M.A.   | Individual          | Oppose                    | No                        |

Comments:

Waste of time and energy - put time and energy into supporting existing families; redefine things when there is no pandemic and consequences of it ripping families apart.

**HB-1096-SD-1**

Submitted on: 3/27/2021 9:38:38 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Arielle Adenew      | Individual          | Oppose                    | No                        |

Comments:

I am opposed to a few things in this bill.

I am opposed to the appointment of a task force because

Problems with this bill that appoints a "Task Force" to look at making these changes:

- the bill indicates that the legislature has already made a decision on the issue and is asking "task force" to provide it with all the reasons why and make recommendations for language in changing our laws
- the legislators are elected officials who are to answer to the people, not to appoint biased persons who are not elected to tell them what to do
- Legislators' actions concerning changing laws are required to be public as elected officials, but the task force has private individuals appointed to work out of the public view. This removes transparency.
- the suggested group of contributors to this task force are from backgrounds that are very strongly biased in favor of changing the birth certificate (these are not neutral and unbiased organizations): example – AF3IRM is an international organization whose political agenda is to change birth record data to parentage rather than paternity (why should they be on the task force)
- Legislators' duty is to consider controversial proposals, hear from the public, and debate the merits of changing the current laws. This bill allows legislators to shirk their responsibility of doing the hard work and considering their community and allows them to later say that they had a "task force" do the research for them

The following are a few reasons for my strong opposition and concerns in changing the language from "paternity" to "parentage":

- Birth certificates are intended to identify the biological parents and other details surrounding the birth of an individual. It is not intended to identify who will rear the child
- The removal of the identification of biological parents removes an individuals ability to identify important hereditary information such as ethnicity (which is particularly important to Native peoples) and medical traits that run in families

(child will no longer be able to identify biological parent to find out family medical history)

- The birth certificate is for the child not for the parents. Adjusting the requirement to “parentage” disadvantages the child in favor of making the people who will raise the child feel good.
- Institutions set up to benefit specific minority groups will no longer be able to rely upon the birth certificates to verify that the individual qualifies for intended benefits. This means they will have NO way to truly verify whether an individual meets the ethnic criteria and is a member of the intended group.



**HB-1096-SD-1**

Submitted on: 3/27/2021 10:51:33 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Audrey Bush         | Individual          | Oppose                    | No                        |

Comments:

I oppose Bill HB1096. Simply put, Birth Certificates are for that reason, BIRTH. NOT what changes you have made or what changes you would like to make.

**HB-1096-SD-1**

Submitted on: 3/28/2021 9:54:46 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

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

Comments:

Aloha JDC Committee Members:

As a concerned community citizen and public health professional, I am writing in **SUPPORT of HB1096** which convenes a task force on uniform parentage requirements.

This would be a first step to allow for ALL parents (including non-binary, trans, and queer parents) who do not identify as male to finally be able to establish their parental rights in a manner that honors their gender identity as a parent without calling their bodies into question.

It has been well established that the health of children is strongly influenced by having stable, loving, and dedicated parents, regardless of sexuality and/or gender status (<https://pediatrics.aappublications.org/content/131/4/e1374>). To ensure the health of our local children and the future workforce of Hawai'i, I urge you to pass measure HB1096.

With aloha,

Thaddeus Pham (he/him)

**HB-1096-SD-1**

Submitted on: 3/28/2021 2:07:37 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Eileen McKee        | Individual          | Support                   | No                        |

Comments:

I support HB1096 HD2 SD1. We need to update existing parentage laws.

Mahalo for considering my testimony.

Eileen McKee

Kihei

**HB-1096-SD-1**

Submitted on: 3/29/2021 1:49:41 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Sarah Michal Hamid  | Individual          | Support                   | No                        |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Sarah Michal Hamid and I support this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

As a lesbian woman, I know the intimate realities of discrimination that LGBTQ+ people face in Hawai'i, and knowing that our families are not even regarded as valid increases the daily anxieties I have as a queer person. I fear that when I choose to start a family I will have to pay thousands of dollars and undergo an extremely emotional process, all while heaing from childbirth. Our families and communities deserve better, and this bill provides a tangible way to support and affirm that LGBTQ+ parents are valid and should be treated as such.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent

this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

To: Senator Karl Rhoads, Chair  
Senate Committee on Judiciary

Senator Jarrett Keohokalole, Vice Chair  
Senate Committee on Judiciary

Members of the Senate Committee on Judiciary

From: Geisha Dela Pena

Subject: HB1096 HD2 SD1 Relating to Parentage

Hearing: Thursday, April 1, 2021, at 9:35 am  
Video Conference, State Capitol

Aloha Chair Rhoads, Vice-Chair Keohokalole, and members of the Senate committee,

My name is Geisha Dela Pena. I'm currently a graduate student pursuing social work. I am testifying in support of HB1096 HD2 SD1 Relating to Parentage.

As a social work student in training, I've learned how inclusivity and being trauma-informed has a huge impact on the clients that social workers work with especially those who are touched by the Child Welfare System. I've also learned how important it is to advocate for my clients when age-old policies don't help or empower those who it is intended for. The adverse effects of nonconforming policies make it harder for those that are different such as the LGBTQ+ community to function and thrive in the systems that people such as myself fit into.

I firmly believe that if this bill is passed it will help with the shift in age-old beliefs of what parents should be and look like. The LGBTQ+ community has lived through enough hardships and rejection that they have chosen their new family and reciprocate so much love. I believe they would do the same if they were offered that opportunity easily when it comes to children within the Child Welfare System who need a home. The inclusion of varying individuals for the

task force can be the difference in helping the LGBTQ+ community have the same rights as the cisheteronormative individuals.

To conclude, I strongly support HB1096 HD2 SD1. Thank you for this opportunity to share my testimony.

Geisha Dela Pena

**HB-1096-SD-1**

Submitted on: 3/29/2021 2:23:49 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| caitlin duquette    | Individual          | Support                   | No                        |

Comments:

**Testimony in Support of HB 1096, HD 2, SD 1 - Relating to Parentage**

**Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,**

**Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Caitlin Duquette support[s] this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.**

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.**



**Caitlin Duquette**

**HB-1096-SD-1**

Submitted on: 3/29/2021 3:11:11 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Gerard Silva        | Individual          | Oppose                    | No                        |

Comments:

Sounds More like Communizum To Me!

Stop Trying to control every thing and everone this will just resualt in it Comeing Back and Bitting You in the ASS!!

We have your Names!

**HB-1096-SD-1**

Submitted on: 3/29/2021 3:44:32 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By         | Organization | Testifier Position | Present at Hearing |
|----------------------|--------------|--------------------|--------------------|
| Paige Kaohu Kawakami | Individual   | Support            | No                 |

Comments:

**I'm writing to express my strong Support of HB 1096, HD 2, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill.** I urge you to pass this measure that calls to convene a taskforce to address the disgusting ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. **Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. **Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate.** For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. **The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important.** Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

**Now is the time to "walk the walk" and show us your dedication to LGBTQ+ rights in Hawai'i.**

**HB-1096-SD-1**

Submitted on: 3/29/2021 4:15:08 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By   | Organization | Testifier Position | Present at Hearing |
|----------------|--------------|--------------------|--------------------|
| Harley Broyles | Individual   | Support            | No                 |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I, Harley Broyles, **support this measure** and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**Harley Broyles**

**HB-1096-SD-1**

Submitted on: 3/29/2021 6:53:32 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Theresa Falk        | Individual          | Support                   | No                        |

Comments:

**Testimony in Support of HB 1096, HD 2, SD 1 - Relating to Parentage**

**Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,**

**Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I, Theresa Falk, support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.**

**As a parent to two adopted children, I understand firsthand the struggle to become a parent. Our journey took two years to complete, and every moment I have with my children reminds me of the privilege of parenthood. I could not have done this without my partner.**

**My partner and I are raising our children to understand that all kinds of families are beautiful--and valid.**

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to**

**female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.**

**Theresa Falk, mother and educator**

**HB-1096-SD-1**

Submitted on: 3/29/2021 7:05:46 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b>  | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|----------------------|---------------------|---------------------------|---------------------------|
| Jennifer Kau'i Young | Individual          | Support                   | No                        |

Comments:

Welina me ke aloha:

Mahalo for the opportunity to support our LGBTQ+ / māhā« 'ohana in establishing the legal right to parentage for female, non-binary, and queer parents. Parents of any gender should be able to establish their legal right to parentage without undue financial and emotional burden. Considering the requirement of birth certificates to establish parentage in order to enroll children in school, establish authority to make health care decisions, and cross national borders, it is imperative that both parents, regardless of gender identity, be able to affix their names to their children's birth certificates in order to provide the necessary care that their keiki need.

Let's support all of our 'ohana in the pursuit of wholesome care for our future generations. Accountability to all is aloha in action.

Me ka ha'aha'a,

Kau'i Young



## **Testimony in Support of HB 1096, HD2 - Relating to Parentage**

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

My name is Margarita Diego, and I am a student at University of Hawai'i at Manoa.

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I am writing in support for HB 1096, SD 1, and to provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I respectfully urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or to cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

As a woman of color raised by a single mother, I believe every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Margarita Diego

**HB-1096-SD-1**

Submitted on: 3/29/2021 9:15:48 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kaleigh DeSimone    | Individual          | Support                   | No                        |

Comments:

Members of the Committee:

Please accept this testimony in support of HB1096. This bill fairly simply proposes to update the language of existing law to be gender neutral, and subsequently inclusive of queer families. It is unconstitutional to limit voluntary parentage to heterosexual cisgender men only. I urge you to pass this measure and ensure equal access to legal parentage. Supporting this bill will allow LGBTQ couples to establish voluntary parentage without having to undertake expensive and lengthy co-parent adoption processes. Rhode Island has already passed a similar law under the Uniform Parentage Act. Opposition to this bill is discriminatory against our LGBTQ families.

On a personal note, my wife, the non-gestational parent of our son, is as much his mother as I am. She fed us while he was in utero, she was there to welcome him into the world, she cut his cord, she gave him his first bath, she held him as I slept and recovered from his arrival. She changes his diapers, sings to him before sleep, prepares his bottles and now his first foods, she reads about developmental activities, saves for his education, trims his nails, holds him while he receives his vaccinations, the list goes on. She is his parent. Legally acknowledge her and other parents like her as such.

Mahalo,

Kaleigh DeSimone

**HB-1096-SD-1**

Submitted on: 3/29/2021 9:50:49 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Meredith Buck       | Individual          | Support                   | No                        |

Comments:

I strongly support HB1096. Gender identity should not be a barrier for any person to establish parentage. Mahalo nui for your time and consideration.

**HB-1096-SD-1**

Submitted on: 3/29/2021 10:46:05 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Barbara J. Service  | Individual          | Support                   | No                        |

Comments:

Please support the development of a task force to examine potential amendments to the laws relating to parentage.

Mahalo for the opportunity to provide testimony.

Barbara J. Service MSW (ret.)

Senior advocate.

**HB-1096-SD-1**

Submitted on: 3/29/2021 11:13:17 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kelsea Armstrong    | Individual          | Support                   | No                        |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Kelsea Armstrong, and I am a graduate student at the University of Hawai'i at Mānoa from the Political Science Department. I support this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Kelsea Armstrong

**HB-1096-SD-1**

Submitted on: 3/30/2021 12:52:18 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By          | Organization | Testifier Position | Present at Hearing |
|-----------------------|--------------|--------------------|--------------------|
| Marie Antonette Ramos | Individual   | Support            | No                 |

Comments:

**Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,**

**Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I, Marie Ramos, support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I strongly urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.**

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.**

**Marie Ramos**



**HB-1096-SD-1**

Submitted on: 3/30/2021 4:12:12 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By       | Organization | Testifier Position | Present at Hearing |
|--------------------|--------------|--------------------|--------------------|
| Itai Bradshaw-Lang | Individual   | Support            | No                 |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I **support this measure** and want to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Itai Bradshaw-Lang



Aloha and Hāfa Adai,

My name is Lauren Taijeron and I am writing this letter to show my support for SB 618/HB 1096. I am a proud queer Chamoru woman and I am working to receive my degree in Political Science and Pacific Island Studies at the University of Hawai'i at Mānoa. I feel it is important that I show my support for this bill. This bill was introduced to me through the organization Af3rm Hawai'i and I firmly stand with them in their position to secure parental rights for queer parents. . I believe that this bill would assist queer parents in their ability to offer their children all that is possible. The current laws in place are discriminatory and do not allow all partners the right to parenthood due to their gender identity and biological contributions to the child. It also further increases the inclusion of gender fluid or non gender conforming parents by adopting neutral language such as parentage vs paternity. The current laws in place create not only an issue for queer parents, but more importantly it impeeds on the childs success. Parents have a harder time enrolling their children in schools along with many other issues that arise due to the lack of legal parentage or parenthood over the child. This issue of homophobia stems from colonial violence, and it further takes form in classism and heteronormativity. It does this by forcing queer parents to jump through many financial burdens that are completely unjustified and it leaves some parents with no choice but to not have legal parentage over their child regardless of the proper care that is taken of said child due to homophobia. I think it is important to recognize that the island of Hawai'i have always celebrated more than one gender/gender expression through the traditional concept of "Mahu" and this is just another way that our current laws in place contribute to colonial violence.

I disagree with the notion that queer parents deserve to be dehumanized through these laws. Furthermore, I condemn these violent colonial ideologies that continue to unjustly restrict parents from properly caring and loving their child. With that being said, I show my full support for SB 618/HB1096 in hope to end queer parent penalties. It is my hope that if this bill is passed that in the future my partner and I would have custody/legal parentage over our child and that we will be afforded these rights without question.

**HB-1096-SD-1**

Submitted on: 3/30/2021 9:58:03 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By     | Organization | Testifier Position | Present at Hearing |
|------------------|--------------|--------------------|--------------------|
| natalia villegas | Individual   | Support            | No                 |

Comments:

**Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,**

**Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Natalia Villegas supports this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.**

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.**

**Natalia Villegas**

**HB-1096-SD-1**

Submitted on: 3/30/2021 10:48:20 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Monique DeSimone    | Individual          | Support                   | No                        |

Comments:

The Uniform Parentage Act as it currently stands discriminates against queer families and our ability to establish parental rights under law without unjust burden. I strongly urge you to pass this measure, and end the unconstitutional restriction on the equal rights of LGBTQ+ people and our paths to parenthood.

As a lesbian parent who recently welcomed my son, Teddy, last June, I speak firsthand to the hardship of pursuing a family as an LGBTQ+ couple. From locating a donor that ethnically represented our family and provided uncontested legal protection against paternity disputes, to finding medical providers who did not actively discriminate against us, on top of the costs of actual fertility procedures, there were countless hurdles we faced along the path to building our family, both emotionally and financially.

As the non-gestational parent to Teddy, there were many hours spent consulting with a lawyer regarding the security of my parental rights in various scenarios, as the non-biological parent. I am no less his mother than the woman that birthed him. Yet every step of the way, I am questioned; because I'm not a cis-hetero man. LGBTQ+ people already face tremendous obstacles on this parenthood journey. Forcing us to additionally spend upwards of \$20,000 to adopt our own children is discriminatory and cruel.

The state is failing their LGBTQ+ families. It is shameful that this law is outdated and that the State has allowed for this discrimination to continue. Biology, gender identity, and marriage should not be determinants of who is granted the opportunity of parenthood under law, nor are they markers of what makes a family legitimate. Queer people know better than anyone that family goes beyond biology. As you know, legal parenthood has a tremendous impact on a parent's ability to care for their child. It allows them to enroll in school, make medical decisions, and legally travel with the child. If male partners have the ability to volunteer parenthood, queer partners should be able to do the same. Mahalo for the opportunity to testify, and I strongly hope that the State can go beyond empty promises of LGBTQ+ equality by enacting HB1096.

**HB-1096-SD-1**

Submitted on: 3/30/2021 11:48:27 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Ann S Freed         | Individual          | Support                   | No                        |

Comments:

Aloha Chair Rhoads, Vice Chair Keohokalole and members,

I strongly support this measure that would provide for a task force to study our outdated legal precepts that define what constitutes a family with the aim of providing a full legal framework for all types of "modern" families.

Mahalo

Ann S. Freed in Mililani



**HB-1096-SD-1**

Submitted on: 3/30/2021 12:52:14 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Ihilani Lasconia    | Individual          | Support                   | No                        |

Comments:

Testimony in Support of HB 1096, HD2 - Relating to Parentage

Chair Keohokalole, Vice Chair Baker, and members of the Senate Committee on Health,

Thank you for the opportunity to present testimony on HB 1096, HD 2- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is 'Ihilani Lasconia and I support this measure in its original form and urge you folks to pass a measure that effectively and efficiently eliminates discrimination against LGBTQ+ parents.

While I support the task force created through this bill, I strongly ask the committee to adopt a version of the bill that would amend the unconstitutional restriction on the equal rights of LGBTQ+ people and our families.

In its original form, HB1096 opened the voluntary establishment of parenthood to all partners of birthing persons, regardless of their gender identity or biological contribution to the child. The bill also adopted gender-inclusive language, such as "parentage" in addition to "paternity," in recognition of the validity of all birthing people and families. Although it is my deepest hope that this task force can meet the demands of this bill I also fully realize that these changes and rights can be granted today, right here, through supporting the bill in its original form.

Changing gears, As Kanaka Maoli we are faced with overwhelming disparities in regards to health, education, and housing. For queer native Hawaiians, we face all of these struggles in addition to the stress and harm of not being able to claim our own 'ohana. As a Native Hawaiian, I know the pain of being severed from my 'Ā• ina and my language. As a queer kanaka who hopes to be an amazing mother one day, please do not allow me to feel the pain of being severed from my own keiki. I cannot be the parent that I dream of becoming without HB1096.

So many of us know that there is a violent history of erasure being done against Native Hawaiians in regards to land, language, and culture because of colonization. What is perhaps less apparent is that but because of colonization, queerphobia has erased the

histories of māhū and lgbtq+ kāhū naka as well. Please stop allowing the state to erase queer kāhū naka from our mo'okū'auhau or genealogies twice.

I am all too aware that so many of the disparities kāhū naka are faced with, cannot be fixed overnight, but through HB 1096 the inequity queer kanaka face in regards to parentage can be addressed practically instantaneously.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

**HB-1096-SD-1**

Submitted on: 3/30/2021 2:27:42 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Alani Bagcal        | Individual          | Support                   | No                        |

Comments:

**Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,**

**Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Alani Bagcal and I support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.**

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.**

**Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.**

**Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.**

**Alani Bagcal**

96815

## Testimony in Support of HB 1096, HD2, SD1 - Relating to Parentage

Chair Rhoads, Vice-Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1- Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Krystle Richman and **I support this measure** and provide the following comments to highlight the significant impact this bill will have on my family and other families across Hawai'i. I urge you to pass this measure that calls to convene a task force to address and effectively eliminate discrimination against LGBTQ+ parents.

Currently, my wife and I are planning to use a sperm donor to help us grow our family. Like many people who seek assisted reproductive technology, we face limitations that push families like ours, who want to create a family from a place of love, into a place of chaos, uncertainty, and worry. Unfortunately, our marriage equality does not equal parental equality; just because we can marry does not mean we will be considered the legal parents of our prospective children upon birth. If we conceive children using a sperm donor, what would be the implications? What defines a family or us as legitimate parents? Would we be able to establish parentage at the birth of our prospective child, regardless of who contributed biologically? As a parent with no biological connection to our child, what might happen should one of us pass away? If incarcerated? If we were to move or travel to another state? If the sperm donor sued for custody? Would our child be taken from us? These are the relevant questions we must ask ourselves as we pursue this process -- questions that many heteronormative individuals never need to consider. Our family security is up in the air and left to the mercy of state laws.

**A task force to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.**

Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners; my wife and I both identify as female gay partners.**

As a result of this restriction, my wife and I are subject to the "queer parent penalty." We are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition and acceptance as our child's valid parent. But we recognize our privilege too. Assisted reproductive technology is expensive, time-consuming, and emotionally burdensome. There are no sperm banks in Hawai'i which means that we must invest in banks on the mainland. With registration fees, the purchase of sperm vials, the need for storage, and the cost of the procedure, we easily will spend \$6,000+ in our first attempts to become parents.

LGBTQ+ parents need the aid of an attorney to ensure their rights are safe and secure. Fortunately, we can afford an attorney and ask the right questions to gain legal security for our family and

children. Our social capital and financial standing give us the advantage to navigate these unfair, biased systems. Others are not as lucky and are restricted from access to quality legal services even before they begin. Studies have shown that on average, LGBTQ+ parents earn \$11,000 less than heterosexual couples with children. Also, very few programs focus on supplying free or low-cost legal services specifically for LGBTQ+ families.

Biology is not the only thing that makes a family. Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

We've also learned from others that the completion of the birth certificate is subjective from one hospital institution to the next. For example, one hospital may honor our request for the non-biological parent to be included and identified as the second parent on the birth certificate, which would immediately establish both my wife and me as the child's legal parents at birth. However, another hospital may choose not to honor our request, and instead ask us: "who is the father?" Without clear legal guidelines and requirements, the decision in Hawai'i is left to the hospital.

We need to update these current parentage laws that reflect outdated, cisheteronormative concepts of families, parenthood, and parental rights. We need to update our laws to accurately reflect the realities of same-sex marriage and the growth and development of modern families in Hawai'i.

Every child deserves the ability to have their parents, who love them, to be recognized as their family and as valid parents. There is no doubt that our children will be wanted and loved. The love my wife and I can give our children is no different whether the child is biologically connected to us or not. We would like our love and parentage to be legally recognized and respected in the same way that every other family is recognized and respected. We need HB 1096 now.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Krystle C. Richman, MEd  
J.D. Candidate  
William S. Richardson School of Law  
University of Hawai'i at Mānoa

**HB-1096-SD-1**

Submitted on: 3/30/2021 2:59:48 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Cameron Woods       | Individual          | Support                   | No                        |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Cameron Woods and I support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

As a young queer woman born and raised here in Honolulu, it is important for me to see equality for LGBTQ+ parents in our home. Just like anyone else, I dream of raising my future family in our beautiful islands where I grew up. Being queer does not mean my dreams of being a parent are different from anyone else's, and I and other LGBTQ+ families should not be discriminated against.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Cameron Woods



Karl Rhodes, Chair  
Jarrett Keohokalole, Vice Chair  
Senate Committee on Judiciary

Thursday, April 01, 2021  
9:35 AM Hawaii-Aleutian Standard Time, Via Video Conference

SUPPORT for H.B. No. 1096 HD2 SD1 Relating to Parentage

Aloha Chair Karl, Vice Chair Jerrett, and the Senate Committee on Judiciary. My name is Camila “Mila” Cabrera Arce, I am a pansexual social work student pursuing a bachelor's degree at the University of Hawaii at Manoa, Thompson School of Social Work and Public Health. I address you today regarding my strong support for the passing of H.B. No. 1096 HD2 SD1, Relating to Parentage.

Hawaii has had a beautiful history of non-discrimination against LGBTQ rights. Hawaii was one of the first states to consider same sex marriage in 1993, and has since continued to show its support through the passing of Hawaii Marriage Equality Act of 2013 and other law ensuring the prohibition of discrimination against sexual orientation and gender identity. As a proud member of the LGBTQ community in Hawaii, I have felt the strong support of our government in our rights as people of this state, yet, as times change, it is important for the state to continue to show support when and where it is still needed.

No matter the sexual orientation or gender identification of the parents, to be a parent is to love and support one's child, to provide, care for, and guide through the challenges of being human in this life. To have a child is one of the few fundamental rights of being a human being in this world and one that should continue to be strongly protected in our state. If what makes a parent is not gender identification or sexual orientation, then it only makes sense to allow for the opportunity fix outdated policy which does not support the LGBTQ+ community in their journey of parenthood. Personally, I really look forward to the beautiful journey of parenthood, the ups, downs, and all of the in betweens. Being a mother is something I have always dreamed of and now, with my partner, it has become a reality. In this dream there has never been a question of love, nor who will be the parents of my future children. There is only a question of rights. Will my partner and I be able to be the parents of our children in the eyes of the state? Or will we have to fight for a right that heterosexual partners are simply privileged to? I am a human being, just as you all, and I had as little choice as you did in who you love, and who you identify as today. So I come to you with humility and respect, asking you to consider what I have stated today. I would like to clarify, I do not ask that you personally accept my choice, but only that you allow me the equal opportunity, to have the same basic human rights as heterosexual partners have, to be a parent.

In requiring the department of health to create a task force to recommend amendments to update current parentage laws that reflect outdated, cisheteronormative concepts of families,

parenthood, and parental rights, you are you are continuing to support Hawaii's foundations of ohana, as well as, allowing for the basic right of being a parent to continue to be just that, a right. I provide my full support for HB No. 1096 HD2 SD1, Relating to Parentage, and urge the senate committee to support this bill as well. Mahalo nui loa for the opportunity to testify. Along with another thank you, for taking the time to hear what I have to say regarding this life changing opportunity for the future families of Hawaii, which includes myself.

Camila “Mila” Cabrera Arce

University of Hawaii at Manoa  
Thompson School of Social Work & Public Health  
[camilac@hawaii.edu](mailto:camilac@hawaii.edu)  
720-361-5494  
House District 43  
Senate District 20

**HB-1096-SD-1**

Submitted on: 3/30/2021 7:07:06 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By  | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|--------------------|--------------------|
| Sabrina Nasir | Individual   | Support            | No                 |

Comments:

Aloha Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary:

Thank you for the opportunity to present testimony on **HB 1096, SD 1** - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a task force to address the ongoing legal discrimination against LGBTQ+ parents.

A task force to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Sabrina Nasir



**HB-1096-SD-1**

Submitted on: 3/30/2021 7:16:24 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By    | Organization | Testifier Position | Present at Hearing |
|-----------------|--------------|--------------------|--------------------|
| Ashley Galacgac | Individual   | Support            | No                 |

Comments:

Chair Rhoads, Vice-Chair Keohokalole, and members of the Senate Committee on Judiciary,

I am in strong support of HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. I trust the organizations named in the bill have worked alongside the queer community to ensure representation of the most impacted. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.**

HB 1096 would recognize couples like my partner and me who are two women, born and raised here in Hawai'i. We dream to raise our future children here where our families and community are. Living in Hawai'i is already expensive. Saving money for the procedures to conceive children and then the legal fees for adoption is unjust. There have been too many couples who have already paid the queer penalties here in Hawai'i.

There is no other place that I would rather be and commit to making this place more just and peaceful. Hawai'i has many peoples whose cultures recognize the sacredness and beauty of LGBTQ+ people. HB 1096 would update the law to end harmful cisheteronormativity, meaning the culture that only views and normalizes opposite sex cisgender relationships. Even if you haven't heard of the term cisheteronormativity, its impacts are real. Cisheteronormativity explains why we still have a gendered wage gap as women are making significantly less money than men, why gay marriage was only legalized in 2015, why openly gay people are excluded from leadership in high positions in the public and private sector, why trans people are far more likely to experience violence and hate crimes, and why queer parents in 2021 still have to fight for their rights to parent.

There is a history of open/normalized queerness in pre-colonial society in Hawai'i, however, the imposition of missionary ideals dictated traditional family values. A group of white cis-hetero men wrote laws to define who had the right to vote and own land. The negative impacts are still here as harmful laws severed these connections to land, family, and community. **It is important to recognize this history as we understand**

**how the current law upholds cisheteropatriarchy because the voluntary parentage right is ONLY afforded to male-identified partners of birthing people. Female, non-binary, and queer partners are excluded from this same right** to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty”, LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

I urge you to pass this measure that effectively eliminates discrimination against LGBTQ+ parents and honor the sacredness and beauty of their families. Mahalo for your dedication to LGBTQ+ rights in Hawai’i and the opportunity to testify on HB 1096.

**HB-1096-SD-1**

Submitted on: 3/30/2021 7:54:25 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| yvonne mahelona     | Individual          | Support                   | No                        |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. [Organization Name/Individual] support[s] this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. [We/I] urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Yvonne Mahelona



**HB-1096-SD-1**

Submitted on: 3/30/2021 8:56:53 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b>   | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|-----------------------|---------------------|---------------------------|---------------------------|
| Grace Tsubaki-Noguchi | Individual          | Support                   | No                        |

Comments:

Thank you for the opportunity to present testimony on HB1096, SD1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I, Grace Tsubaki-Noguchi, support this measure. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make healthcare decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birthcertificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Thank you for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Grace Tsubaki-Noguchi

**HB-1096-SD-1**

Submitted on: 3/30/2021 9:47:23 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Kerrie Villers      | Individual          | Oppose                    | No                        |

Comments:

Chair and members,

Thank you for taking time to read this testimony. I STRONGLY OPPOSE this bill and would like to request that you vote against passing this measure. Creating a task force that is largely biased in favor of a major change in the way we report parentage on birth certificates is not beneficial to anyone except group who is pushing for this change. Legislators are elected by the people to hear the desires and consider the needs of the people, not to create biased task forces to move agendas of select groups forward.

Concerning the proposal itself... changing birth certificates from listing biological parents to listing the parents who will rear the child tremendously disadvantages the child. Birth certificates are for the child, for identification purposes and government records. It allows children to identify their biological contributors, which is necessary for tracing medical history and for purposes of identifying specific minority groups. Organaziations that provide services based upon blood linkage (Hawaiian bloodline) will no longer be able to tell who legitimately falls into the group they are intending to serve. Clearly, the proposed change is in the interest of parents to the detriment of the child.

So again, I ask that you vote against passing this measure. Mahalo.

Aloha,

Kerrie Villers

**HB-1096-SD-1**

Submitted on: 3/30/2021 10:27:31 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Nanea Lo            | Individual          | Support                   | No                        |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. [Organization Name/Individual] support[s] this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Thanks for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

me ke aloha 'Ä• ina,

Nanea Lo



**HB-1096-SD-1**

Submitted on: 3/30/2021 10:35:41 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Emma Ishihara       | Individual          | Support                   | No                        |

Comments:

Dear Char, Vice-chair, and esteemed members of the committee,

My name is Emma Ishihara, and I would like to submit testimony in strong support of HB1096 HD2 SD1. To support the people of our community, a task force to assess the needs and provide suggestions for updates to our current policy regarding parentage is not only important but VITAL to the health and well-being of the families in our community.

Thank you very much for this opportunity to submit testimony in support of HB1096 HD2 SD1,

Emma Ishihara.

**HB-1096-SD-1**

Submitted on: 3/31/2021 8:27:56 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Breanna Agas        | Individual          | Support                   | No                        |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

Being queer should not be a punishment. LGBTQ+ parents and families should not have to suffer from blatant discrimination.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Breanna Komata Agas

**HB-1096-SD-1**

Submitted on: 3/31/2021 9:16:11 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| John Castillo       | Individual          | Support                   | No                        |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I support this measure and provides the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.



Mahalo for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

John Castillo

**HB-1096-SD-1**

Submitted on: 3/31/2021 9:33:28 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Mihoko Ito          | Individual          | Support                   | No                        |

Comments:

I support HB1096 HD2 SD1 Relating to Parentage, which assembles a task force to propose updates to Hawaii's Uniform Parentage Act. This task force would propose legislation that will recognize and allow all families to have available a simplified process to establish parentage.

My children were born via a surrogate due to personal health reasons when we started our family. I personally went through the struggles of being a non-gestational mother and understand the hardship being faced by families that go through this process.

Currently, Hawaii law is silent on non-gestational parents, so women and families who are considered to have "non-traditional" births because they are same sex couples, or have a child via a surrogate or gestational carrier must wait until after a baby is born to get an order from the court declaring them to be parents. In several other states, however, laws have been enacted that allow for intended parents to obtain a pre-birth order through a court procedure. This ensures that, when a baby is born using surrogacy, the baby is automatically deemed to be the child of the intended parents. It also allows for them to go through the birthing process with a court order that ensures their rights and reduces confusion within the health care system.

Families who go through a "non-traditional" birthing process that involves nongestational parents have already invested so much emotionally and financially in the journey to parenthood.

I believe a task force will be a significant step in bringing parties together to agree on how to remove the barriers that exist in the current Uniform Parentage Act and will give all families assurance and legal certainty in their journeys to start families. I also support expanding the participants in the task force so that all types of intended families are represented in the group.

Thank you for the opportunity to support this bill.

Mihoko Ito

**LATE**

**HB-1096-SD-1**

Submitted on: 3/31/2021 12:07:38 PM  
Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b>                  | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|--------------------------------------|---------------------------|---------------------------|
| Nikki-Ann Yee       | Testifying for Ma'i Movement Hawai'i | Support                   | No                        |

Comments:

Thank you for the opportunity to present testimony on HB 1096 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. Ma'i Movement Hawai'i supports this measure and we urge you to pass a measure that effectively eliminates discrimination against LGBTQ+ parents.

**LATE**

**HB-1096-SD-1**

Submitted on: 3/31/2021 11:05:28 AM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By               | Organization | Testifier Position | Present at Hearing |
|----------------------------|--------------|--------------------|--------------------|
| Jasmine Pontillas<br>DavÃ© | Individual   | Support            | No                 |

Comments:

**Testimony in Support of HB 1096, HD 2, SD 1 - Relating to Parentage**

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I **strongly support this measure** and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

**A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage.** Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. **This same right is not afforded to female, non-binary, and queer partners.** As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

The LGBTQ+ community both deserves and needs a seat at the table when it comes to any legislative decision-making process that will directly and uniquely impact us. In

establishing a taskforce that explicitly names LGBTQ+ organizations and community leaders as participants, the legislature will demonstrate that it truly values the voices and experiences of those who continue to be marginalized by inequities in the law and will demonstrate a commitment to correcting the historical injustice levied against the LGBTQ+ community. I urge the legislature to particularly honor the opinions of, and listen to the recommendations of, LGBTQ+ Kanaka organizers and community leaders who can speak to the difference between Western “traditional” viewpoints of homophobia and indigenous “traditional” cultural understandings of LGBTQ+ identities as valued and accepted in society. I urge the legislature to acknowledge the impact of colonialism on our community by uplifting the voices of those who are most harmed by its institution.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.

Jasmine Pontillas Davé, Esq.

**LATE**

**HB-1096-SD-1**

Submitted on: 3/31/2021 1:30:17 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| Submitted By                | Organization | Testifier Position | Present at Hearing |
|-----------------------------|--------------|--------------------|--------------------|
| Mykie E. Menor Ozoa-Aglugub | Individual   | Support            | No                 |

Comments:

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. My name is Mykie Ozoa-Aglugub and **I support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I respectfully urge you to pass this measure** that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the "queer parent penalty" - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child's valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child's birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Thank you for your dedication to LGBTQ+ rights in Hawai'i and the opportunity to testify on HB 1096.

Mykie E. Menor Ozoa-Aglugub, J.D



**LATE**

**HB-1096-SD-1**

Submitted on: 3/31/2021 9:18:37 PM

Testimony for JDC on 4/1/2021 9:35:00 AM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Present at Hearing</b> |
|---------------------|---------------------|---------------------------|---------------------------|
| Katie Davis         | Individual          | Support                   | No                        |

Comments:

Testimony in Support of HB 1096, HD 2, SD 1 - Relating to Parentage

Chair Rhoads, Vice Chair Keohokalole, and members of the Senate Committee on Judiciary,

Thank you for the opportunity to present testimony on HB 1096, SD 1 - Relating to Parentage, also known as the LGBTQ+ Family Justice Bill. I, Katie Davis, support this measure and provide the following comments to highlight the significant impact this bill will have on families across Hawai'i. I urge you to pass this measure that calls to convene a taskforce to address the ongoing legal discrimination against LGBTQ+ parents.

A friend of mine, an avid supporter of all things Hawaiian, someone who recognized the importance of culture and place, and made a great impact on conservation of the oceans through her work establishing the Papahānaumokuākea Marine National Monument, took her own life last year. She and her wife were working full time with two babies at home during the pandemic. Prior to the pandemic, she shared with me some of her challenges being a new parent. As a new mom myself, I could relate to many, but others were unique to her as a member of the LGBTQ+ community. One of those challenges was the adoption of the daughter born to her wife, and her wife's adoption of the daughter born to her. These babies were born only six months apart, but years after their mothers had been married and decided to have children together. She was unable to put her name on the birth certificate of the child her wife gave birth to, when I would have been able to do so with any man, regardless of paternity or even marriage. I cannot imagine the addition of the financial and administrative burden put on these women, when that time in a new mother's life is already so difficult. But the importance of their adoption was undeniable to validating their roles as parents of their children in our society, and in hindsight, imperative to her widow's ability to continue to raise their daughters after her wife's passing. While we will never know the many reasons why my friend decided in the end to take her own life, we do know that there were burdens put on her and her family that could have been prevented. This is one of them. Especially here in Hawai'i, a place known for the importance of ohana.

A taskforce to resolve the discrimination against LGBTQ+ families is urgently needed. Gender identity should not be a barrier for a non-binary or female partner to establish



parentage. Under our current law, only male partners of birthing people are afforded the option to volunteer themselves as the other legal parent and establish parenthood on a birth certificate. This same right is not afforded to female, non-binary, and queer partners. As a result of this restriction, many LGBTQ+ parents are subject to the “queer parent penalty” - LGBTQ+ parents are forced to undergo extreme financial and emotional burdens to obtain an adoption decree for legal recognition as their child’s valid parent.

Parents of any gender identity should be able to establish their valid and legal right to parent their children. Voluntarily establishing legal parentage allows for both parents to appear on their child’s birth certificate. For families seeking to enroll children in school, establish authority to make health care decisions, or cross national borders, the birth certificate is a critical document. The birth certificate is the document used as evidence of parental rights, so establishing parenthood on birth certificates is important. Absent this correction, LGBTQ+ parents will continue to face barriers in parenting their children and be treated as second-class citizens under our laws.

Mahalo for your dedication to LGBTQ+ rights in Hawai‘i and the opportunity to testify on HB 1096.

Katie Davis

Private Citizen