



Josh Frost - President • Patrick Shea - Treasurer • Kristin Hamada  
Nelson Ho • Summer Starr

Tuesday, February 4, 2020

Relating to Hawaiian Affairs  
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports SB42 Proposed SD1 Relating to Hawaiian Affairs**, which prohibits the Attorney General from investigating a nonprofit organization for exercising their constitutional right to free speech and assembly or practicing native Hawaiian traditional and customary rights expressed under the constitution.

Free speech and assembly extend to nonprofit organizations, whether that speech is against a government program or a private entity. Protecting and preserving constitutional rights should be of utmost importance. The state should not be able to retaliate against nonprofit organizations (or individuals) who exercise their right to free speech and assembly for the purpose of non-violent civil disobedience.

For all these reasons, we urge you to move this bill forward.

Mahalo for the opportunity,  
Gary Hooser  
Executive Director  
Pono Hawai'i Initiative



PROTECTING

NATIVE HAWAIIAN

CUSTOMARY & TRADITIONAL

RIGHTS AND OUR FRAGILE

ENVIRONMENT

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*KAHEA: the Hawaiian-Environmental Alliance is a non-profit 501(c)3 working to protect the unique natural and cultural resources of the Hawaiian Islands. KAHEA translates to English as "the call."*

## Testimony of KAHEA: The Hawaiian-Environmental Alliance to the Senate Committee on Hawaiian Affairs in support of S.B. 42, S.D.1 proposed

February 4, 2020, 1:19 p.m.  
Conference Room 016

Aloha e Senators,

Thank you for hearing this bill. KAHEA: The Hawaiian-Environmental Alliance strongly supports proposed S.B.42, S.D.1 as a timely and unfortunately necessary intervention into the attorney general's overreach into nonprofit organizations.

KAHEA has been a Hawai'i nonprofit corporation since 2000 when Hawaiian cultural practitioners and environmental advocates came together to organize around growing concern over threats to Hawai'i's most ecologically important and culturally sacred places. Today, KAHEA is an effective, thousands-strong organization that works to improve the quality of life for Hawai'i and its communities.

In November 2019, the attorney general served a subpoena on First Hawaiian Bank for all of KAHEA's financial records going back to 2017. The pretext was a late transmittal of KAHEA's IRS forms, which are anyway available online, which even the judge reviewing our motion to quash found to be nothing to "get excited about."

But what SB 42 squarely addresses is the kind of government overreach that is the primary intent of the AG's subpoena. The AG states that it's investigating "illegal activity" consisting in "blocking a road." Yet, "blocking the road" hugely understates what the Kia'i Mauna movement is.

It is, amongst other things, the organization of thousands of people, led by Hawaiians and Hawaiian cultural practitioners, around the protection of Mauna Kea. And I want to pause here to admire the level of organization needed to communicate, house, book-keep, shop, order, plan, clothe, feed, transport, clean, educate, and inspire multitudes across Hawai'i and internationally.

KAHEA can claim responsibility for but one small part of that. For instance, we paid for a giant rice cooker, that was requested by a kia'i, shopped for and transported by another kia'i, and used to make food for the many who are teaching, dancing, caretaking, and cleaning lua at Pu'uuhuluhulu. To focus on the solicitation and disbursement of funds misses the larger landscape of self-reliance and self-determination organized by the purpose of protecting Mauna Kea.

The kupuna who stood on Mauna Kea Access Road did not do so because they got free meals and a tent. Opposition to putting the TMT on Mauna Kea is growing out of peoples' awareness of land use, history, and frankly, bad public administration - and also hopes for a different future. As a nonprofit corporation, KAHEA seeks to raise this kind of awareness and forward community organization around these hopes.

Yet, we cannot participate in these actions while being subjected to a government scrutiny that has as its aim shutting down the same Kia'i Mauna movement we support. The actions, trust, and relationships that get built by and through community organization are the ways that our freedom of assembly, free speech, and Hawaiian traditional and customary rights are realized in a deeply material and resilient way. These are the practices and freedoms that SB42 would protect from government intrusions.

We note the American Civil Liberties Union and the Hawai'i Alliance of Nonprofit Organizations have taken firm stances against the AG's subpoena and investigation for reasons that align with SB42.

Please pass SB42, SD1 as proposed. Mahalo for considering our testimony.

Me ke aloha,

Bianca Isaki, Board Secretary  
KAHEA: The Hawaiian Environmental Alliance



**Chair Maile Shimabukuro**  
**Vice Chair Kaiali'i Kahele**

**Senate Committee on Hawaiian Affairs**

**Tuesday, February 4, 2020**  
**1:19 PM**

**TESTIMONY IN STRONG SUPPORT OF SB42 PROPOSED SD1 RELATING TO  
HAWAIIAN AFFAIRS**

Aloha Chair Shimabukuro, Vice Chair Kahele, Members of the Senate Committee on Hawaiian Affairs,

My name is Jun Shin. I am a Sophomore at the University of Hawai'i at Mānoa. I currently serve the Environmental Justice Action Committee Chair for the Young Progressives Demanding Action (YPDA). YPDA advocates for public policies that reflect the values of young people throughout the State of Hawai'i. YPDA is in **Strong Support** of **SB42's proposed SD1**, Relating to Hawaiian Affairs.

YPDA stands with KAHEA: The Hawaiian-Environmental Alliance, a nonprofit that is affected by the Attorney General's growing overreach into organizations supporting the Kia'i's efforts on Mauna Kea, which also includes the Office of Hawaiian Affairs and even Hawaiian Airlines. KAHEA's constitutional rights under both the U.S. and State constitution to be politically engaged without fear of government reprisal is currently under threat.<sup>1</sup> YPDA's 21 member board voted overwhelming in December of 2018 to stand with the protectors of Mauna Kea and to lend our support to the Hawaiian community as it continues to deal with the trauma of colonization, and we intend to do so in whatever way we can.

This overreach by the AG both sets a really bad legal precedent, and is a continuation of attacks on the growing self-reliance and organizing taking place on Mauna Kea. As KAHEA put eloquently in their own written comments on this measure, "The kupuna who stood on Mauna Kea Access Road did not do so because they got free meals and a tent. Opposition to putting the TMT on Mauna Kea is

growing out of peoples' awareness of land use, history, and frankly, bad public administration - and also hopes for a different future."

Both young and old are realizing that business as usual is no longer the way to protect our natural resources and Hawaiian traditional and customary rights for future generations to utilize and enjoy. This needs to be understood by our leaders and policymakers. This bill would allow for community organizations like KAHEA to continue to be a part of this work in working on the frontlines of protecting these resources without fear of being targeted deliberately for civil disobedience. Young Progressives Demanding Action is in **Strong Support** of **SB42's proposed SD1**. Please pass this bill through your committee.

Mahalo for the opportunity to testify,

Jun Shin,  
Environmental Justice Action Committee Chair  
Young Progressives Demanding Action (YPDA)  
P.O. Box 11105  
Honolulu, HI 96828  
Cell: 808-255-6663  
Email: junshinbusiness729@gmail.com  
CC: action@ypdahawaii.org

<sup>1</sup><https://acluhi.org/2020/01/31/aclu-of-hawaii-expresses-first-amendment-concerns-over-subpoenas-against-kahea>

**SB-42**

Submitted on: 2/2/2020 7:18:45 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael L Inouye	Testifying for Democratic Socialists of Honolulu	Support	No

Comments:

The Democratic Socialists of Honolulu supports SB42 and agrees with the bill's authors that constitutionally protected rights to free speech and assembly extends to nonprofit organizations. The attorney general should not abuse their power by using investigations as an intimidation tactic against individuals and organizations that disagree with the political positions of the state.



BEFORE THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS

February 4, 2020

Senate Bill 42 SD1

Relating to the Attorney General

Aloha Chair Shimabukuro, Vice Chair Kahele, and Members of the Committee,

Ka Lāhui Hawai'i Political Action Committee (KPAC) **STRONGLY SUPPORTS** of Senate Bill 42 SD1 which prohibits the attorney general from investigating nonprofit organizations for exercising their constitutional right to free speech and assembly, protecting constitutional grants of rights, and/or traditional and customary Kanaka Maoli cultural rights.

This proposed Senate Bill 42 SD1 is timely. Under this administration many efforts have been made to criminalize the peaceful protectors of Mauna Kea who have been occupying Pu'u Huluhulu and the Mauna Kea Access road since July of 2019. The attorney general is abusing her power and authority by targeting nonprofits and other organizations that have given support for the welfare, health and safety for the protectors of Mauna Kea. Penalizing nonprofits and organizations for caring for our community who are exercising their constitutionally protected right to assemble and free speech and basic human right (which are encoded in international law) to protect cultural, religious, and spiritual practices, and access to sacred sites is oppressive and unjust. Furthermore, the members of our community who are protecting Mauna Kea are our neighbors, tax paying citizens, members of our clubs, and/or registered to vote.

The targeting of the supporters of the protectors of Mauna Kea is an attempt by the state to not only criminalize the protectors and supporters of Mauna Kea but to also discourage future support that has sustained an organized, unified and peaceful movement for over 6 months.

We urge you to stop this unjustified investigation by the attorney general and this administration which violates the rights of the protectors and supporters of Mauna Kea. Requesting items like the ATM transactions footage of the KAHEA (the Hawaiian Environmental Alliance) takes the Ige administration to an embarrassingly new low of racist tactics that target mainly Kanaka Maoli and Kanaka Maoli allies who support Mauna Kea, a mountain that is sacred to the Native people of this land.

Respectfully submitted,

M. Healani Sonoda-Pale  
Chair, KPAC

**LATE**

**SB-42**

Submitted on: 2/3/2020 7:41:55 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeri Di Pietro	Testifying for Hawai'i SEED	Support	No

Comments:

Aloha Senate Hawaiian Affairs Committee,

My name is Jeri Di Pietro and I volunteer with GMO Free Kaua'i and Hawai'i SEED. I live in Koloa, on Kaua'i. Mahalo for taking my written testimony today.

Please do not allow State Attorney General Claire Connors subpoena power to be used against KAHEA: The Hawaiian Environmental Alliance. KAHEA is a long standing, decade old watchdog group that looks out for the environment and the Hawaiian community at large. They continually look out for our rights of freedom of peaceful assembly, free speech, and Hawaiian cultural rights.

KAHEA worked diligently in 2006 to insure that the University of Hawai'i revoked the three patents on three varieties of taro. With the urging and community education, the UH abandoned the controversial taro patents. No one should own Haloa, nor make huli be bought from the UH for each subsequent planting. This is how important environmental and cultural groups like KAHEA are.

They continue to work for the protection of Mauna Kea, and provide health and safety to the Kupuna and the Kia'i. It is in Kapu Aloha that community opposition against TMT is being expressed.

Please support SB42, SD1.

Mahalo nui loa,

Jeri Di Pietro

**SB-42**

Submitted on: 2/2/2020 4:25:34 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Tada	Individual	Support	Yes

Comments:

I strongly support this bill. Kanaka Maoli have every right to protest against any and all places they hold sacred, and are trying to protect.

**SB-42**

Submitted on: 2/1/2020 4:19:24 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	Yes

Comments:

The Attorney General with the Governor's backing has overstepped. Plain and simple the legislature must actively protect the citizens of their constituencies' first amendment rights.

**SB-42**

Submitted on: 2/3/2020 12:23:32 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Thomas	Individual	Support	Yes

Comments:

Enough is enough!!

The AG's subpoena power needs to be curtailed. This is a personal vendetta against the Hawaiian community that reeks of David Ige. As Kanaka we have been awakened and have begun to engage our government leaders and policy makers.

We will NOT stand idly by while the system continues to produce HEWA! If we have to bring PONO back ourselves, then so it shall be!

I STRONGLY OPPOSE SB42 SD1

Aloha!

**SB-42**

Submitted on: 2/3/2020 12:42:20 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Steven Thomas	Individual	Support	Yes

Comments:

Enough is enough!!

The AG's subpoena power needs to be curtailed. This is a personal vendetta against the Hawaiian community that reeks of David Ige. As Kanaka we have been awakened to what we believe is rampant government corruption. Many of us will be seeking positions that can affect change in our government.

I strongly SUPPORT SB42 SD1

Mahalo .. Aloha 'Āina.. Kā« Kia'i Everything!

**SB-42**

Submitted on: 2/1/2020 6:59:02 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/1/2020 5:02:53 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments:

Weird... no discription of bill on the testimony page.

So... I support SB 42 IF this (below) is what it actually says:

SB42, SD1 would make the AG's subpoena illegal.

Hearing February 4, 2020, 1:19 p.m.; Conference Room 016.

SECTION 1. The legislature finds that private nonprofit organizations sometimes oppose governmental programs, practices, and policies and are sometimes investigated by the attorney general to insure compliance with business regulations and tax exemptions. The investigation can be intimidating and could be deemed to be retaliatory when the nonprofit engages in nonviolent civil disobedience against a government program, practice, or policy.

The legislature further finds that the constitutional right to free speech and assembly extends to nonprofit organizations and that nonprofit organizations should not be penalized for expressing their opinions, including engaging in nonviolent civil disobedience activity. The legislature further finds that non-profits may also promote constitutionally established rights regarding traditional Hawaiian customs and practices. These rights established by article XII, section 7 of the state constitution are no less worthy of protection and preservation as the rights to free speech and to assemble for the purpose of non-violent civil disobedience.

Accordingly, the purpose of this Act is to prohibit the attorney general from investigating nonprofit organizations for exercising their constitutional right to free speech and assembly or protecting constitutional grants of rights, such as the traditional and customary Hawaiian cultural rights expressly protected under article XII, section 7 of the state constitution, with exceptions.

SECTION 2. Section 28-2.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The attorney general shall investigate alleged violations of the law when directed to do so by the governor, or when the attorney general determines that an investigation would be in the public interest[.]; provided that no investigation shall be conducted in connection with and under circumstances during a period of time in which it is clear that the person is exercising rights by nonviolent civil disobedience that are protected and granted under the Constitution or state constitution, unless the investigation is of an alleged crime as described in the criminal laws of the State directly connected with the person's exercise of protected rights and preceded by the allegation of the criminal act supported by probable cause."

**SB-42**

Submitted on: 2/1/2020 10:14:20 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Koohan Paik	Individual	Support	No

Comments:

This bill is calling for is simply to not be harrassed by the government, and to allow for non-profits to exercise their first amendment right to free speech during a period of nonviolent protest. I cannot think of a law more worthy of being passed.

**SB-42**

Submitted on: 2/1/2020 10:14:38 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ana Kahoopii	Individual	Support	No

## Comments:

Thank you for hearing this bill. As one of the kupuna arrested on the Mauna on July 17th, 2019 my ohana and I strongly support S.B.42, S.D.1 as a timely and regrettably unavoidable intervention into the attorney general's overreach into nonprofit organizations which are a critical pillar of our community.

KAHEA has been a Hawai'i nonprofit corporation since 2000 and has partnered with the state in many instances to serve the needs of our residents. The track record of KAHEA has been impeccable for 20 years.

The AG's primary intent is to attack KAHEA's support of the Mauna Kea protectors. This is clearly an abuse of executive power being conducted by the attorney generals office that SB 42 justly addresses. In its subpoena, the AG states it is investigating "illegal activity" primarily "blocking a road." it's common knowledge that the DLNR had blocked the road on July 15th, 2019, the arrests of kupuna were conducted on July 17, 2019. The road was already blocked by the DLNR and the DLNR blockade continued until December 26th, 2019 at which time kupuna also moved off the road per the request of Hawaii county Mayor Kim.

Also note that to date there have been no convictions, claims of alleged "illegal activity" have not been litigated and there has been no legal determination of any illegal activity.

The actions of Attorney General Clare Connors seeks to destroy the trust, and sever relationships that are built through community organizations like KAHEA while infringing on our freedom of assembly, free speech, and Hawaiian traditional and customary rights. These are the practices and freedoms that SB42 would protect from government encroachment.

Please note the American Civil Liberties Union and the Hawai'i Alliance of Nonprofit Organizations have weighed in against the AG's subpoena and investigation supporting the intention of SB42.

Please pass SB42, SD1 as submitted. Malama Pono.

Nawahine-Kaho'opi'i Ohana



**SB-42**

Submitted on: 2/2/2020 4:41:57 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bridgit Bales	Individual	Support	No

Comments:

I Strongly support this Bill.

**SB-42**

Submitted on: 2/2/2020 7:59:40 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pamela M Williams	Individual	Support	No

Comments:

As a registered voter, I strongly support this Bill. Native Hawaiians exercising their First Amendment Rights on Native Hawaiian Lands should not be subject to this type of harrassment by the AGs office.

Pamela M Williams, BSW

**SB-42**

Submitted on: 2/2/2020 9:36:40 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lori Halemano	Individual	Support	No

Comments:

Aloha Senators and Decision Makers,

I strongly support SB42, SD1 and respectfully request that you consider passing this bill(s).

The Attorney General should not have the authority to investigate, subpoena, harass or prevent any non-profit organization from supporting Hawaiians who are practicing their cultural, religious and traditional gatherings. Doing so, would be in direct violation of their Constitutional Rights.

Thank you for your consideration in supporting SB42, SD1.

Mahalo,

Lori Halemano

**SB-42**

Submitted on: 2/2/2020 11:15:10 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joy McLeod	Individual	Support	No

Comments:

We need SB42 to stop the AG from investigating non profits like Kahea for exercising their constitutional rights to free speech & assembly or practicing native Hawaiian traditional & customary rights expressly protected under article XII, section 7 of the state constitution, with exceptions. Please stop the madness!

**SB-42**

Submitted on: 2/2/2020 1:21:39 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Roxane Stewart	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/2/2020 5:19:40 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

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

Comments:

I stand in **support** of SB42 to prohibit the Attorney General from investigating non-profit organizations for exercising their constitutional right to free speech and assembly or practicing native Hawaiian traditional and customary rights expressly protected under article XII, section 7 of the state constitution.

I believe that the AG has overstepped her authority for the oversight of non-profits in the state. Monitoring compliance for tax purposes is a different issue and must be kept separate.

**SB-42**

Submitted on: 2/2/2020 5:38:49 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nathan Partridge	Individual	Support	No

## Comments:

I support the proposed limitations on the Attorney General to misuse taxpayer money by investigating registered non-profits like KAHEA: The Hawaiian Environmental Alliance. The subpoena of KAHEA's financial records constitutes harassment for no reason other than the exercising by this group of its constitutional rights of free speech, assembly, and the practice of protected Hawaiian traditional and customary rights. This subpoena is an attempt to sap time and resources from this group, which is an unacceptable impediment to the aforementioned rights of groups and individuals.

**SB-42**

Submitted on: 2/2/2020 6:52:22 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
maelani Lee	Individual	Support	No

Comments:

I'm in support because I believe the Attorney General should not pick on a non-profit when it has a right to the first amendment.

**SB-42**

Submitted on: 2/2/2020 7:03:55 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
E. Kalani Flores	Individual	Support	No

Comments:

We SUPPORT this bill! Based upon the current actions of the AG's office, this bill is needed to protect the rights of organizations and individuals when the government oversteps its powers to target such organizations and associated individuals to curtail their constitutional rights. These are the same type of tactics that was used by the government to target and attack organizations and individuals during the civil rights movement.

**SB-42**

Submitted on: 2/2/2020 7:04:09 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

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

Comments:

**SB-42**

Submitted on: 2/2/2020 7:47:03 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gordon B. Lindsey	Individual	Support	No

Comments:

In support of our right to free speech, our rights of freedom of assembly, and Hawaiian traditional and customary rights. I am in support of SB42, SD1

**SB-42**

Submitted on: 2/2/2020 9:02:47 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Williamina Peters-Wong	Individual	Support	No

Comments:

I support this bill. The Attorney General is overreaching by subpoenaing KAHEA, a non-profit corporation. The AG should concentrate on all the corruption with its State Employees and its departments.

**SB-42**

Submitted on: 2/2/2020 9:44:30 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kenneth kudo	Individual	Oppose	No

Comments:

I oppose. Of course the attorney general's office has to make sure that all non profits in the state of Hawaii comply with requirements. This is just a bleed on taxpayer's money to allow OHA and native Hawaiians continued unpoliced funding which history has shown to be in mandatory monitoring.

**SB-42**

Submitted on: 2/2/2020 9:45:00 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaylene Sheldon	Individual	Support	No

Comments:

Aloha nā• kā• kou!

My name is Kaylene Kauwila Sheldon and I am a registered voter. I support Senate Bill 42 for several reasons:

1. SB42 will prohibit the Attorney General from investigating non-profit organizations for exercising their constitutional right to free speech and assembly or practicing native Hawaiian traditional and customary rights expressly protected under article XII, section 7 of the state constitution, with exceptions.

2. KAHEA a non profit organization is now being unfairly targeted by the attorney general. It seems like the attorney general is trying to discriminate and criminalize a strong supporter of Hawaiian rights. It is also very racist. KAHEA has over 20 years of experience and a impeccable reputation for protecting sacred sites. Their mission statement states :

“KAHEA is a community-based organization working to improve the quality of life for Hawai'i's people and future generations through the revitalization and protection of Hawai'i's unique natural and cultural resources. We advocate for the proper stewardship of our resources and for social responsibility by promoting cultural understanding and environmental justice.”

3. KĀHEA revolves around issues that impact Hawaii such as sacred summits, ocean protection, environmental justice, land and cultural rights, and functioning food systems. While Native Hawaiians were the highest in statistics for health problems, homelessness, incarceration...KĀHEA made the most courageous attempts to impact human lives in sustaining the revitalization of forestation and marine life. Their accomplishments and actions impacts the lives of Nā• kanaka 'Āiwi Hawai'i.

4. During my college years at the University Of Hawaii at Manoa, Hawaiian gathering rights were being threatened. Many hula practitioners as I can recall fought for these rights to gather. The outcome of this cultural threat brought the birth of KĀHEA. I appreciate KĀHEA very much for having integrity and courage. KAHEA was able to identify the systematic loss of species, sensitive shorelines, and unique cultural sites, and increasing threats to public health, rights and access--and they called for change. They've done what the State Of Hawaii & what the Department Of Land And Natural Resources has failed to achieve which is to live up to the motto "Ua mau ke 'ea o ka

'aina I ka pono." KAHEA, the organization they founded, continues in this call to action. Their core mission reflects the principle "ho'okahi no ka 'Ā• ina a me na kĀ• naka," the land and the people are one. KĀ•HEA has made a strong influence toward nĀ• kanaka in being "pili" to sacred lands, native species, and traditional cultural traditions. If you truly care for Hawaii and value human life and you call this place your home then please support KAHEA and other Hawaiian non-profits from being mistreated by the attorney general. Why is it a crime to support people that practice freedom of speech or peaceful protests? Please support SB42. Opposing it is a violation of the first amendment. Thank you for your time.

Mahalo nĀ• ,

Kaylene Kauwila Sheldon

**SB-42**

Submitted on: 2/2/2020 11:04:25 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Clarence Ching	Individual	Support	No

Comments:

I support Senate Bill 42 because:it will, among other things, prohibit the Attorney General from illegally restricting non-profit organizations (on behalf of their memers) of exercising constitutionally-protected rights of free speech and assembly or practicing native Hawaiian traditional and customary rights expressly protected under article XII, section 7 of the Hawaii State Constitution.

**SB-42**

Submitted on: 2/3/2020 3:59:37 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/3/2020 8:54:29 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
mary drayer	Individual	Support	No

Comments:

i am a donor to Kahea. org - and am fully aware of what my donation will be used for - Support of Mauna Kea Kia'i. It is not the governments job to legislate my choice of who to support.

**SB-42**

Submitted on: 2/3/2020 9:07:10 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Barbara Phillip	Individual	Support	No

Comments:

I am in support of SB42, SD1.

Respectfully,

Barbara Phillip

**SB-42**

Submitted on: 2/3/2020 9:54:36 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lauralee Baoy	Individual	Support	No

Comments:

I support SB 42. I agree that the Attorney General should not have the right to investigate non-profit groups during a time when rights of nonviolent civil disedience are being engaged unless an alleged crime has occurred supported by probable cause.

**SB-42**

Submitted on: 2/3/2020 10:28:23 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melia Leslie	Individual	Support	No

Comments:

I am a constituent of Hawaii and this is absolutely shameful! What a waste of tax payer money. I support SB42!

**SB-42**

Submitted on: 2/3/2020 10:36:18 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emmaline Padeken	Individual	Support	No

Comments:

What the State of Hawaii Attorney General's office is trying to do in subpoenaing records, ATM video surveillance, etc of the non-profit KAHEA: The Hawaiian Environmental Alliance is an overreach of that office and an intimidation tactic. This cannot be allowed. Please pass SB42, SD1 as proposed.

**SB-42**

Submitted on: 2/3/2020 12:09:33 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
M. Llanes	Individual	Support	No

Comments:

Please support SB42 to protect non-profit organizations exercising their constitutional right to free speech and assembly or practicing native Hawaiian traditional and customary rights expressly protected under article XII, section 7 of the state constitution, with exceptions. The unlawful actions of the current acting Attorney General have been shameful and an embarrassment.

Mahalo for reading my testimony.

Aloha,

MeleLani Llanes

active registered voter, Makakilo

**SB-42**

Submitted on: 2/3/2020 12:12:36 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Blake WAtson	Individual	Support	No

Comments:

Aloha Honorable Senate,

The Hawaii Attorney General's recent move to investigate a non-profit that supports organized freedom of speech claims is unconstitutional, and as such this legislation before you should be supported to affirm that reality.

Thanks so much,

Blake Watson

**SB-42**

Submitted on: 2/3/2020 12:13:52 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

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

Comments:

**SB-42**

Submitted on: 2/3/2020 12:28:16 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jessica Mitchell	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/3/2020 12:55:00 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sheadon Freitas	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/3/2020 1:00:29 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brexson Kamano	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/3/2020 1:44:06 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tiana Laranio	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/3/2020 1:51:55 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
pahnelopi mckenzie	Individual	Support	No

Comments:

It is so sad to see the state try the sabotaging activities on an organization that's goal is protecting the people and land of Hawaii. In the situation, the of the world no Attorney General or anyone should be trying to act with illegal false powers. I am in support of legal protection for privacy to be maintained as stated by law

**SB-42**

Submitted on: 2/3/2020 2:05:50 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Katy Benjamin	Individual	Support	No

## Comments:

I am writing in support of SB42. I feel strongly that our AG is abusing her power, which is clearly in favor of development, even as thousands of people at home and abroad stand with Kanaka Maoli. The time and energy being put into harassing the nonprofit KAHEA, could be spent on any number of pressing matters of public safety, like drug treatment needs, figuring out why nearly 7,000 people are newly homeless in a year that the Gov said he'd "eradicate homelessness," or the thousands of beneficiaries who are living and dying on the waitlist for their land in Hawaiian Homes.

Please vote in support of SB42, and protect the altruistic members of KAHEA from bullying.

Kathryn Benjamin

Hilo, HI

**SB-42**

Submitted on: 2/3/2020 3:13:40 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ashley Gutierrez	Individual	Support	No

## Comments:

I support this bill because it should be illegal to subpoena financial records for native organizations who are practicing their native rights. KAHEA: The Hawaiian Environmental Allinace helps protect the health and safety of Kupuna and Kiai who are 100% in the right to be protecting the land from desecration. The state and federal government is not helping the native people, they cater to foreigners and not their own people. Federal and State government officials are bullies trying to repress and cause more trauma with the native people. By letting the Attorney General subpoena financial records of natives causes further distrust between natives and government officials.

ATTORNEY GENERAL IS ADDING TO THE FURTHER DISTRUST AND HISTORIC TRAUMA BETWEEN THE NATIVES AND GOVERNMENT INSREAD OF HELPING THE NATIVES FIX THEIR PROBLEMS. SUBPOENA THE ATTORNEY GENERAL!

I support this bill

**SB-42**

Submitted on: 2/3/2020 3:13:56 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Thayne Currie	Individual	Oppose	No

## Comments:

I strongly oppose this bill. Organizations like KAHEA and others are not just simply "expressing their opinion". Rather, they fund blocking access to a public highway. They should not be given special treatment. The law should be fairly applied to everyone.

**LATE**

**SB-42**

Submitted on: 2/3/2020 3:26:20 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Malia Makanani	Testifying for KAHEA	Support	No

**Comments:**

Aloha, my name is Malia Haleakala Makanani and I oppose the development TMT atop our ancestral lands on Mauna Kea on Hawai'i Aina. We need to protect our wahipana, sacred Aina. How fortunate we have been blessed with life in the middle of the Ocean. How fortunate we have been blessed with elemental resources ( wind, water, new earth, fire) in the middle of the Ocean. How fortunate we have been blessed to have a history of our own (Polynesian ancestors, wayfinders,navigators, Warriors, Kings and Queens, gatherers, farmers, skilled practitioners ) that our Hawai'i state survives off of (economic crisis, called Hospitality industry) this exploitation to foreigners not of Hawai'i. How fortunate we have been blessed to be born and raised in Hawai'i, to educate all individuals the next generation of no Oihi o kanaka Maoli. We cannot afford to cause damage to our Aina or people. We must Malama Aina, Aloha Aina. We must recognize this as an emergency in Hawai'i our Community is in crisis to maintain our spiritual, cultural, generational connection to our Hawaiian Race and our Hawai'i home to our Hawai'i people. We must listen to our Kupuna, Mo'olelo, Olelo Noeau, our Kaiaulu. This is Kuleana, my Kuleana, your Kuleana, Our Kuleana, or we will be left with nothing and that is not an option!

**LATE**

**SB-42**

Submitted on: 2/3/2020 3:48:53 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rozalyn Teixeira	Individual	Support	No

Comments:

Sorry. I couldn't forward. Please cut and paste into state website  
February 3, 2020

Aloha Senators

I strongly support SB42 and SD1 and respectfully ask that you consider passing this bill(s).

The Attorney General should not have the right to investigate, subpoena, and harass any non-profit organization that supports Hawaiians who are practicing their traditional, cultural, religious rights and gatherings.

To allow this would be a direct violation of our Constitutional rights.  
Thank you for your consideration and support.

Mahalo,  
Rozalyn K. Teixeira Kalawai'a

**LATE**

**SB-42**

Submitted on: 2/3/2020 3:50:01 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
KATHERINE ROSEGUO	Individual	Oppose	No

Comments:

Opposed because of course the Attorney General should have the power to examine evidence. Nonprofits are not above the law.

**LATE**

**SB-42**

Submitted on: 2/3/2020 3:50:16 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eric Takasugi	Individual	Oppose	No

Comments:

I strongly oppose this measure.

**LATE**

**SB-42**

Submitted on: 2/3/2020 3:50:52 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melanie Park	Individual	Support	No

Comments:

I am writing in support of SB 42 prohibiting the Attorney General from investigating non-profit organizations for exercising their consitutional right to free speech and practicing native Hawaiian traditional and customary rights expressly protected under article XII, section 7 of the state constitution, with exceptions.

This is a a slippery slope that the AG is trying to navigate. Without any actual facts of a criminal nature to be found it appears that the AG is attempting to go on a fishing expedition in its attempts to silence the kia'i on Mauna Kea and the tremendous work that the KAHEA organization has done for the Hawaiian Community. We must continue to protect our rights as Kanaka Maoli as well as be able to participate in non-violent disobedience.

Mahalo nui,

Melanie Park RN

**LATE**

**SB-42**

Submitted on: 2/3/2020 4:08:37 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Kaye	Individual	Support	No

Comments:

**LATE**

**SB-42**

Submitted on: 2/3/2020 4:17:11 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jason	Individual	Oppose	No

Comments:

Dear Senate Hawaiian Affairs Committee,

I am submitting testimony opposing SB42. This bill hampers the attorney generals' ability to pursue and investigate possible wrongdoing, and if passed will encourage those who commit financial crimes to continue brazenly skirt the law. No matter what anyone thinks, Hawaii is a state within the United States, and as such everyone is required to obey the law. No one is above the law, and certainly no particular group is above the law. This is regardless to how anyone or group has felt they have been unfairly treated in the past. You, as part of the Hawaii Legislature, are bound to serve all of your constituents equally, not to serve the interests of only one group. As your constituent I ask that you legislate without regard to ethnicity or to the demands of any one group, but rather for the common good of our democracy.

Respectfully yours, Jason

**LATE**

**SB-42**

Submitted on: 2/3/2020 4:17:49 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Henry boothe	Individual	Support	No

Comments:

I strongly support prohibiting the attorney general from investigating nonprofit organizations for exercising their constitutional right to free speech and assembly or practicing native Hawaiian traditional and customary rights expressly protected under article XII, section 7 of the state constitution.

Such investigations are not only infringing on both federal and state constitutional laws, it fringes on Article 11.1 and Article 12.1 of the **UN** declaration on the Rights of Indigenous Peoples and Article 14 of the **American** Declaration on The Rights of Indigenous Peoples to practise, revitalize, protect and develop past present and future manifestations of their culture. I do not support my tax dollars being used to break these constitutional laws and declared promises. This nation is based on the freedom of the people and we must uphold this standard. Thank you. Henry Boothe

**SB-42**

Submitted on: 2/3/2020 4:20:42 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Cara Kimura	Individual	Oppose	No

Comments:

I strongly oppose SB42.

The bill, as written, sets a dangerous precedence by trying to limit the scope by which the attorney general can investigate possible misuse of funds by a non-profit organization. Regardless of the actions engaged by a non-profit organization in the name of civil disobedience or protest, it should not be above the law or immune from investigations by the legal authority governing non-profit organizations -- in our government, the attorney general has governance over these organizations. Just because organizations may find this process "intimidating" is not due cause to tie the AG's hands from their duty to perform due diligence on behalf of ALL the people of Hawaii.

**LATE**

**SB-42**

Submitted on: 2/3/2020 4:23:09 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea Lo	Individual	Support	No

Comments:

Hello,

My name is Nanea Lo and I'm a lifelong resident of Hawai'i on O'ahu and a kā• naka maoli (Native Hawaiian). I'm in strong support of SB42, SD1. I am in strong SUPPORT of this bill. I believe that we should stop the State Attorney General's misuse of her subpoena power to suppress community opposition to the TMT. Attorney General Clare E. Connors is targeting non-profit KAHEA: The Hawaiian Environmental Alliance and her actions are wasting my tax-payer money. This is anti-hawaiian and unconstitutional.

Please support this bill.

me ke aloha 'Ä• ina,

**LATE**

**SB-42**

Submitted on: 2/3/2020 4:23:16 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Carmie Spellman	Individual	Support	No

Comments:

Honorable Legislators:

I urge you to move this SB42 SD1 forward as the Right to the Freedom of Speech must be honored. The United States Constitution First Amendment is the Right to the Freedom of Speech: Amendment 1 Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. I support this SB42SD1!

Respectfully,

Carmie Spellman

**LATE**

**SB-42**

Submitted on: 2/3/2020 4:54:07 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Fern Anuenue Holland	Individual	Support	No

Comments:

This is an abuse of power, please support this bill.

**LATE**

**SB-42**

Submitted on: 2/3/2020 5:01:33 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
L.J. Remillard	Individual	Oppose	No

Comments:

I strongly oppose SB42.

Corporations are not people and therefore should not have the same rights that people do.

Giving corporations the same rights as people grants them the power to use their greater financial and political influence to oppress the rights of citizens.

**SB-42**

Submitted on: 2/3/2020 5:02:46 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Jazzmin Cabanilla	Individual	Support	No

Comments:

**LATE**

**SB-42**

Submitted on: 2/3/2020 5:26:58 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Veronica Ohara	Individual	Oppose	No

**Comments:**

I am Kanaka Maoli and I submit testimony in opposition to SB42. This Bill SB42 is an effort to restrict criminal investigation into KAHEA, their taxes and claim to be a non-profit organization. The Legislature of the State of Hawaii cannot in good conscience restrict an investigation to a group that is well known for the illegal blockade of Maunakea Access Road, a blockade that has cost the good citizens of this state over \$15 million dollars, and the costs will continue to rise. KAHEA has a strong affiliation with the Sierra Club and an easy Google search brings up proof their donations come from questionable sources with obvious connection to Russian money laundering and off shore tax haven funds. KAHEA accuses TMT and the astronomy community of being corrupt rich outsiders but the sources for their funds are more than questionable, they are in fact reprehensible. KAHEA ignores the CCH and HSC in regard to TMT, and urges more protest, circulates disinformation, their actions have polarized our communities. It's time to bring an end to this burden on the people of Hawaii. KAHEA should be audited and if they are found guilty there should be consequences.

**LATE**

**SB-42**

Submitted on: 2/3/2020 5:29:14 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lani Minihan	Individual	Support	No

Comments:

The AG targeting Hawaiian Non-Profit organizations needs to STOP. It is Anti-Hawaiian and Unconstitutional.

**LATE**

**SB-42**

Submitted on: 2/3/2020 5:29:26 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Murphy	Individual	Support	No

Comments:

**LATE**

**SB-42**

Submitted on: 2/3/2020 5:30:12 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mary Whispering Wind	Individual	Support	No

Comments:

**LATE**

**SB-42**

Submitted on: 2/3/2020 6:25:50 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tom Lodge	Individual	Oppose	No

Comments:

**LATE**

**SB-42**

Submitted on: 2/3/2020 6:42:50 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
lauryl rego	Individual	Support	No

Comments:

**LATE**

**SB-42**

Submitted on: 2/3/2020 7:17:38 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joni Kamiya	Individual	Oppose	No

Comments:

I strongly oppose this bill that is intended to alter law to protect an organization that may be acting illegally. These very groups proclaim that they are "pono" so if they truly are following the law, there should be no problem with complying with the law. The precedent that this will set will be problematic for public disclosure of tax free entities. The public has the right to know what these organizations are doing in the State of Hawaii while granted charity status like any other group.

**LATE**

**SB-42**

Submitted on: 2/3/2020 7:21:45 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Joanna Maile Pokipala	Individual	Support	No

Comments:

I support SB42

**SB-42**

Submitted on: 2/3/2020 7:54:28 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Sharde	Individual	Support	No

Comments:

**SB-42**

Submitted on: 2/3/2020 8:12:46 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Sandell	Individual	Oppose	No

## Comments:

The gist of this measure is that nonprofits with nonviolent programs that oppose the government, can be researched as to their compliance with tax exemptions and business regulations. Could that feel retaliatory or intimidating? Sure. Is that sufficient reason to say such research should not be conducted? No. If you're responsibly running a nonprofit, or any business for that matter, you should have all your ducks in a row on taxes and compliance. If you don't, then the bad is on you, not on agencies that are authorized to examine your books. This measure is bogus.

**LATE**

**SB-42**

Submitted on: 2/3/2020 8:49:41 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Annette Reyes	Individual	Oppose	No

Comments:

I oppose this because non-profits should not be able to fund illegal activities. It is against the law and if they choose to do so then they should deal with the consequences just like every other non-profit. Why would a non-profit need a bill to stop the Attorney General from looking into their records? Non-profits are supposed to be transparent. What are they hiding if people are willing to go to these great lengths to hide their financial information? I oppose allowing non-profits to skirt the law. I oppose this bill.

**SB-42**

Submitted on: 2/3/2020 9:25:46 PM

Testimony for HWN on 2/4/2020 1:19:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth Wagner	Individual	Oppose	No

**Comments:**

As a resident of Hawaii and part- Native Hawaiian, I strongly oppose this bill. This piece of legislation is an attempt to prevent the investigation of nonprofits when they are practicing civil disobedience under the guise of freedom of speech. This bill has a specific target, Attorney General Clare Connors and a specific beneficiary, KAHEA.

This measure's intention is to protect KAHEA, a supporter of the protestors who were illegally obstructing the Mauna Kea Access Road for over 5 months and intend to again obstruct the road if the Thirty Meter Telescope attempts to begin construction.

The protestors engagement in civil disobedience is not directed against a government program, practice, or policy. This defiance is directed towards the Thirty Meter Telescope International Observatory, another nonprofit. A nonprofit cannot participate in illegal civil disobedience and continue to retain their 501(c)(3) status.

Finally, building of the Thirty Meter Telescope will not impinge on Native Hawaiian rights concerning free speech or cultural practices. An open Mauna Kea Access road will give Native Hawaiians the freedom to exercise their religious or spiritual traditions.

Kenneth Wagner, Honolulu

**SB-42**

Submitted on: 2/4/2020 6:41:18 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Regina	Individual	Support	No

## Comments:

The attorney General is only trying to use her authority to bully the people who are in opposition destruction of Hawaiian lands. I am in full support of this bill, any person in position of attorney general should not be allowed to use his/her authority to benefit personal concerns.

**SB-42**

Submitted on: 2/4/2020 7:16:45 AM

Testimony for HWN on 2/4/2020 1:19:00 PM

**LATE**

Submitted By	Organization	Testifier Position	Present at Hearing
Deron Akiona	Individual	Support	No

## Comments:

Please stop the criminalization of peaceful legal protest in Hawaii! The current actions by the AG is targeted harrassment of our citizens. ENOUGH