

LATE



SB57

RELATING TO THE JUDICIARY'S 'OLELO HAWAI'I INITIATIVES

Senate Committee on Judiciary

Senate Committee on Hawaiian Affairs

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February 9, 2023

1:00 PM

Room 415

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The Office of Hawaiian Affairs (OHA) **STRONGLY SUPPORTS** SB57, which would provide further legislative support to the Judiciary's 'Ōlelo Hawai'i initiatives.

[ **KĀKO‘O LOA** ka Office of Hawaiian Affairs (OHA) i ka pila SB57, i mea e ho‘omau ai i ke kāko‘o ‘ana i ka Ho‘okolokolo i ka hāpai kānāwai ‘ana no ka ‘Ōlelo Hawai‘i. ]

'Ōlelo Hawai'i was the original language of Hawai'i's judicial system until attempts were made to extinguish Native Hawaiian identity through the prohibition of the language,<sup>1</sup> which severed entire generations of Native Hawaiians from the language of their ancestors. Language is the carrier of culture and identity and restoration of that identity is now happening by leaps and bounds. **'Ōlelo Hawai'i is indeed an official language of this state and the availability of basic services is a matter of equity. As more people learn and use 'Ōlelo Hawai'i, the more apparent the equity gap will become.** OHA is a staunch advocate for the normalization of the first language of Hawai'i: 'Ōlelo Hawai'i.

[ I ka wā mamua, 'o ka 'Ōlelo Hawai'i ka 'ōlelo 'ōiwi o ka 'ōnaehana ho‘okolokolo, akā ua ho‘ā‘o e ho‘omake i nā kuana‘ike Hawai'i ma o ka 'ōlelo i pāpā 'ia e ke kānāwai, ma ua au la 'oia kai ho‘opōpilikia ka 'ōlelo mākuahine i nā Kānaka Maoli. Ho‘oholo 'ia, e 'auamo ka 'ōlelo i ke kuleana e ho‘āla ai nā mo‘omeheu me nā loina o ua kuana‘ike la. 'O ka 'Ōlelo Hawai'i, he 'ōlelo o ke aupuni nei no kēia moku‘āina, ā he mea kaulike ka mālama 'ana i nā hana kahua. Ke 'oi aku ka nui o nā po‘e e ho‘opuka akula 'ia ka 'Ōlelo Hawai'i, e 'ike anei ka pilikia nui o ke kaulike 'ole. Kāko‘o loa o OHA i ke kūlike me ka 'ano mau i ka 'ōlelo mākuahine o Hawai'i nei: 'oia nō ho‘i ka 'Ōlelo Hawai'i. ]

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<sup>1</sup> "If we are ever to have peace and annexation the first thing to do is to obliterate the past," ua ha'i 'o Samuel Mills Damon, kēlā Hope Pelekikenā no ka 'Aupuni Hewa (Provisional Government) a me Hui Ho‘okō no ka 'Aupuni Hewa Loa (Republic of Hawai'i), Council of State (Provisional Government of the Hawaiian Islands, 1895). 26 November 1895. Hawaii State Archives Series 424 Vol. 4.



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OHA appreciates the opportunity to voice its support on this measure and respectfully asks the Legislature to PASS SB57. Mahalo nui loa.

[ Maopopo loa 'o OHA i ka waiwai o kēia manawa kūpono e kāko'o ai i kēia pila a noi mai i kēia Kōmike i ka 'āpono 'ana i SB57. Mahalo nui loa. ]

Established by our state's Constitution,<sup>2</sup> OHA is a semi-autonomous agency of the State of Hawai'i mandated to better the conditions of Native Hawaiians. Guided by a board of nine publicly elected trustees, all of whom are currently Native Hawaiian, OHA fulfills its mandate through advocacy, research, community engagement, land management, and the funding of community programs. Hawai'i state law recognizes OHA as the principal public agency in the state responsible for the performance, development, and coordination of programs and activities relating to Native Hawaiians.<sup>3</sup> Furthermore, state law directs OHA to advocate on behalf of Native Hawaiians;<sup>4</sup> to advise and inform federal officials about Native Hawaiian programs; and to coordinate federal activities relating to Native Hawaiians.<sup>5</sup>

[ I ho'okahua ai i ke kumukānāwai o kō kākou moku'āina, he 'oihana 'ano kū'oko'a o OHA o ke 'Aupuni o Hawai'i nei, he 'ōlelo kēnā ua 'ohina la e ho'okā'oi i ke ola 'ana o nā Kānaka Maoli. Alaka'i ia 'oihana e ka 'aha kūkā me 'eiwa kahu waiwai i ho'okoho ai ka lehulehu, a he mau Kānaka Maoli lākou āpau loa, ho'okō'o OHA i ko lākou 'ōlelo kēnā ma o nā hana kauleo, ka 'imi na'auao, ke kōkua kaiaulu, mālama 'āina, a me ka makana 'ana aku i nā papa hō'ike no ke kaiaulu i ke kālā. Hō'opia'i'o ke kānāwai o ka moku'āina o Hawai'i nei, he 'oihana aupuni nui o OHA ma ua moku'āina la, ā loa'a ia 'oihana i ke kuleana e ho'okō, e ho'omōhala, ā e ho'olauka'i i nā papa hō'ike me nā hana i pili ai i nā Kānaka Maoli. Eia nō na'e, kuhikuhi ke kānāwai ia moku'āina iā OHA e hana i nā mea e kōkua ā e kāko'o ai i nā Kānaka Maoli; e a'o a e ho'omōakāka i nā pekelala o ke aupuni no nā papa hō'ike Kānaka Maoli; e ho'olauka'i i nā hana pekelala i pili i nā Kānaka Maoli. ]

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<sup>2</sup> Haw. Const., art. XII, §5 (1978).

<sup>3</sup> Haw. Rev. Stat. § 10-3(3).

<sup>4</sup> Haw. Rev. Stat. § 10-3(4).

<sup>5</sup> Haw. Rev. Stat. § 10-6(a)(4).



## *The Judiciary, State of Hawai'i*

### Testimony to the Thirty-Second State Legislature 2023 Regular Session

#### Senate Committee on Judiciary

Senator Karl Rhoads, Chair

Senator Mike Gabbard, Vice Chair

#### Senate Committee on Hawaiian Affairs

Senator Maile S.L. Shimabukuro, Chair

Senator Kurt Fevella, Vice Chair

Thursday, February 9, 2023, 1:00 p.m.  
Conference Room 224 & Videoconference

by:

Johanna K. Chock-Tam  
'Olelo Hawai'i Program Administrator

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**Bill No. and Title:** Senate Bill No. 57, Relating to the Judiciary's 'Olelo Hawai'i Initiatives.

**Purpose:** To provide funds for staff positions and various services to support the Judiciary's 'Olelo Hawai'i initiatives.

#### Judiciary's Position:

Kāko'o piha ka 'Oihana Ho'okolokolo i ka Pila o ke 'Aha Kenekoa 57 no ka hā'awi 'ana i \$200,000 no ka papa hana 'olelo Hawai'i ho'okolokolo a me \$100,000 no kona kuhikuhina, no nā makahiki kālā 2023 – 2024 a me 2024 – 2025 pākahi.

Mahalo nui ka 'Oihana Ho'okolokolo i kēia pu'u kālā a e holomua kākou i ka ho'omau 'ana i ka papa hana 'olelo Hawai'i ho'okolokolo, me ka mahele 'olelo Hawai'i, ka unuhi kahua pūnaewe, ka noi'i palapala kahiko, ke kūkulu papa hua 'olelo ho'okolokolo, ka unuhi palapala, a me ka ho'ona'auao 'olelo Hawai'i.

Mahalo nui ka 'Oihana Ho'okolokolo no ka pu'u kālā no ke kuhikuhina. 'Ae 'ia ka 'Oihana Ho'okolokolo i kekahi helu kūlana mau loa no nēia 'oihana, no laila, mana'o kākou he mea lua ka pu'u kala \$100,000 no ke kuhikuhina. Akā na'e, mau ana ko kākou mahalo i ka

‘Aha‘ōlelo Moku‘āina no ko ‘oukou kāko‘o.

E holomua ka ‘Oihana Ho‘okolokolo i ko kākou hana i ka ho‘ōla hou i kēia ‘ōlelo kūhelu o ka moku‘āina. E ola mau ka ‘ōlelo Hawai‘i!

Mahalo no ka manawa no ka ha‘i mana‘o ‘ana i ko kākou kāko‘o o Pila o ke ‘Aha Kenekoa 57.

\* \* \* \*

The Judiciary strongly supports Senate Bill No. 57, which appropriates \$200,000 for the Judiciary’s ‘Ōlelo Hawai‘i projects and \$100,000 for its program administrator, for each of fiscal years 2023 - 2024 and 2024 - 2025.

The Judiciary greatly appreciates these funds and looks forward to continuing the implementation of its ‘ōlelo Hawai‘i program, which includes court interpretation, website translation, archival legal language research, lexicon development, document and form translation, and educational services.

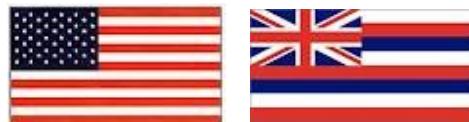
The Judiciary is thankful for the appropriation for a program administrator. The Judiciary was granted a permanent position count for this position, so we believe the allocation for the program administrator is duplicative. However, we remain thankful for the legislature’s continued support.

The Judiciary looks forward to continuing to do its part to revive the state’s official co-official language. May the Hawaiian language live on!

Thank you for the opportunity to testify in support of Senate Bill No. 57.

Center for Hawaiian Sovereignty Studies  
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Kenneth R. Conklin, Ph.D. Executive Director  
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Unity, Equality, Aloha for all



To: SENATE COMMITTEE ON JUDICIARY and  
SENATE COMMITTEE ON HAWAIIAN AFFAIRS

For hearing Thursday, February 9, 2023

Re: SB 57 RELATING TO THE JUDICIARY'S 'OLELO HAWAI'I INITIATIVES.  
Appropriates funds for staff positions and various services to support the  
Olelo Hawaii Initiatives.

#### TESTIMONY IN OPPOSITION

## List of 3 main points

1. \$300,000 proposed in this bill this year is merely seed money for a project that will mushroom to hundreds of millions in future, as shown by demands made in previous legislation and in Chief Justice Recktenwald's own 50-page report.
  2. Practical need for using a language vs. ethnic pride or vanity in seeing a language displayed -- who should pay?
  3. The case of Samuel Kaleikoa Kaeo.
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1. \$300,000 proposed in this bill this year is merely seed money for a project that will mushroom to hundreds of millions in future, as shown by demands made in previous legislation and in Chief Justice Recktenwald's own 50-page report.

This bill proposes to appropriate \$300,000 seed money to establish the beginnings of a new bureaucracy inside the Judiciary for the purpose of fostering and normalizing Hawaiian language, by translating various legal documents into Hawaiian. First comes \$100,000 for salary for a chief bureaucrat (who might already have been chosen behind the scenes); and then an additional \$200,000 "for implementation, including translation services, website upgrades, preparation of materials, and educational efforts." Of course that's only the beginning.

A hidden purpose of this bill is to set up a bureaucracy that will expand by leaps and bounds to provide paid employment for the growing number of people who become fluent in Hawaiian language but cannot find jobs as teachers of it. Let's remember how the labor unions lobbied aggressively for the Honolulu rail project because they wanted jobs; but now the people of Hawaii are stuck paying more than \$10 Billion for an ugly makework project that most people don't want and will never use (like translating the Hawaii Revised Statutes into Hawaiian).

As this bill points out, "[I]n 2015, the legislature adopted a concurrent resolution, H.C.R. No. 217, Session Laws of Hawaii 2015, that requested the judiciary to convene a task force to examine and report on establishing

‘Olelo Hawai‘i resources for the judiciary... made several recommendations and identified projects that can serve as a guide to the judiciary.”

In the regular session of 2016 this legislature entertained companion bills SB2162 and HB2180 whose purpose was to appropriate \$500,000.00 in seed money for the judiciary to begin a program to train people to become expert in both Hawaiian language and the specialized concepts of the legal profession to the point where they can translate the Hawaii Revised Statutes into Hawaiian, along with case law that might be cited to support or oppose legal briefs or memos in current courtroom proceedings. And that was only seed money!

Bill SB560 in the legislature of 2017 provides evidence of the costs for translation services. For translating just one document from English to Hawaiian -- the state Constitution -- SB560 proposed an appropriation of \$25,000.00 for year 2017 and an additional \$25,000.00 for year 2018, to be given to the University of Hawaii.

The \$300,000 proposed in this year's bill is merely an acorn poised to grow into a mighty oak tree. Why is the Judiciary proposing a make-work boutique project when it presumably has plenty of work to cope with the practical realities of a huge backlog of cases [especially jury trials] resulting from the COVID pandemic?

I have read the 50-page report by Chief Justice Mark Recktenwald to the House Judiciary Committee dated December 16, 2015: "Report of the Hawaiian Language Web Feasibility Task Force" appointed pursuant to House Concurrent Resolution No. 217, House Draft 1, Senate Draft 1 adopted by the Legislature in 2015. IT PROPOSES A PAY RATE OF \$500 PER HOUR FOR THE EXPERT TRANSLATORS proposed in SB2162 regular session of 2016. How many hundreds of millions of dollars would be needed to translate the Hawaii Revised Statutes into Hawaiian, along with case law that might be cited to support or oppose legal briefs or memos in current courtroom proceedings? Mr. Recktenwald did NOT hire anyone to translate his own report into Hawaiian language. Why not? He should be willing to take a pay cut to get the job done! His document was 50 pages long. If each page required one hour to translate, the cost for just that one document alone, at his proposed pay rate of \$500.00 per hour, would be \$25,000.00.

## 2. Practical need for using a language vs. ethnic pride or vanity in seeing a language displayed -- who should pay?

There is no practical NEED for anyone to speak Hawaiian in court, nor to have state laws or legal pleadings or documents available in Hawaiian, because everyone who can speak Hawaiian is more fluent in English. By contrast, there is great NEED for translations of documents into and from Asian and European languages, and NEED for courtroom interpreters for those languages. Let's spend taxpayer dollars for what is NEEDED; not for using Hawaiian language as a vanity display of ethnic heritage and pride.

According to OHA's latest annual report, on June 30, 2021 OHA had assets of \$822,738,000.00. And according to bills which were winning unanimous approval in "Hawaiian Affairs" legislative committees in 2022, OHA demanded \$638 Million in arrears plus \$79 Million per year in future from ceded land revenues. Let OHA pay for using Hawaiian language as a vanity display of ethnic heritage and pride. The \$300,000 called for in this bill, and all the money needed to fund the future dreams of Mark Recktenwald and the Hawaiian language empire, is a smaller portion of OHA's wealth than a single puakenikeni blossom on a Kamehameha Day float.

Giving priority to Hawaiian language is a political stunt to bolster ethnic pride and get votes from a constituency that demands visible tokens of validation and status; but it has no practical usefulness. It seems likely that every person outside Ni'ihiwai who speaks Hawaiian also speaks English with greater fluency.

Princess Ruth Ke'elikolani (hoo dat?) insisted on speaking Hawaiian when giving speeches, interviews, or testimony, even though she was perfectly capable of understanding and speaking English fluently. She was famous for humiliating haole diplomats and news reporters this way, forcing them to hire translators. She felt she was having a political and "moral" victory by forcing them to use Hawaiian. Hawaiian sovereignty activists and language zealots follow her lead and do this same stunt nowadays -- see discussion about the case of Samuel Kaleikoa Kaeo who did precisely this stunt in court recently, humiliating the individual judge by forcing him to knuckle under to the demand for a court interpreter and humiliating the entire Judiciary by eliciting a policy to unnecessarily provide interpreters for Hawaiian language in the same manner as they provide necessary interpreters for speakers of other languages who lack understanding of English.

Nobody NEEDS to speak or hear Hawaiian to express himself or to understand what someone is saying -- the activists demand it to score a

political point; and sometimes to simply "gum up the works" when there is testimony on an environmental impact statement regarding telescopes on Mauna Kea or construction on a military base. Please see a large and detailed webpage "Hawaiian Language as a Political Weapon" at <http://www.angelfire.com/big09/HawLangPolitWeapon.html>

There are numerous Hawaiian sovereignty activists and Hawaiian language zealots who certainly would make demands for thousands of documents -- not because there is any real need to have those documents in Hawaiian language, but merely for the pleasure and ethnic pride of seeing them and with the conscious intention of providing employment for their friends.

### 3. The case of Samuel Kaleikoa Kaeo.

Samuel Kaleikoa Kaeo is a community college instructor who speaks English fluently. In fact he teaches classes using English as the language of instruction, makes fiery political speeches in English, and has also learned to speak Hawaiian fluently. He demanded to give court testimony in Hawaiian, not because he is unable to speak English, but merely as a stunt -- a form of Hawaiian sovereignty street theatre or political activism.

Hawaii is filled with the Aloha Spirit. Our people are kind and generous, and show our good will to people who cannot speak English by allowing them to give testimony in their own language and by providing them at our own taxpayer expense with interpreters who have been certified by the court to be fluent in both their own language and English. But Kaeo's political stunt was neither kind nor generous. It did not display good will, let alone the Aloha Spirit. He could easily have spoken English, but he chose to speak Hawaiian as a way to FORCE everyone else to either learn Hawaiian or to spend taxpayer dollars to hire speakers of Hawaiian. That's what today's bill in our legislature is all about -- a political stunt that would inconvenience everyone and, over time, would cost a lot of money merely for the sake of cultural/ linguistic chauvinism.

Hawaii has large numbers of people from many ethnic backgrounds who speak different languages in their homes; but we all come together in shared spaces where we are expected to speak English. Inability to speak English is treated as a disability or handicap. People who cannot speak English are given special accommodation to help them communicate in their own language, just as someone who is deaf gets a sign-language interpreter, someone who is blind is allowed to use a seeing-eye dog even in places

where dogs are not normally allowed, and someone who cannot walk is allowed to use a wheelchair and elevator. Kaeo who is fluent in English but insists on speaking Hawaiian is like a marathon runner who might demand just for fun to come to court in a noisy wheelchair with a taxpayer-supplied assistant to push it for him.

Honolulu Star-Advertiser of January 25, 2018 reported: "A Maui District Court judge on Wednesday issued a bench warrant for the arrest of a University of Hawaii-Maui College assistant professor of Hawaiian studies after he refused in court to acknowledge himself in the English language. Kaleikoa Kaeo, who was scheduled to start a trial for his August 2017 arrest for trying to block a shipment of parts to the Daniel K. Inouye Solar Telescope under construction atop Haleakala, spoke only in the Hawaiian language when Judge Blaine J. Kobayashi asked him repeatedly if he was present for the trial. While an interpreter was provided for Kaeo during his initial court appearance, Kobayashi in December approved a motion by the Maui Prosecutor's Office requiring that the trial be conducted in English. There is no legal requirement to have Hawaiian language interpreters for those who speak English but prefer to speak Hawaiian in court, according to the state Judiciary. Nevertheless, Wednesday's events prompted outrage within the Hawaiian community. Office of Hawaiian Affairs Chief Executive Officer Kamana'opono Crabbe issued a statement saying the agency is "deeply disturbed and offended" that Kaeo was prohibited from defending himself in the Hawaiian language and that a bench warrant was issued for his arrest. Office of Hawaiian Affairs Chief Executive Officer Kamana'opono Crabbe issued a statement saying the agency is "deeply disturbed and offended" that Kaeo was prohibited from defending himself in the Hawaiian language and that a bench warrant was issued for his arrest. "Punishing Native Hawaiians for speaking our native language (evokes) a disturbing era in Hawaii's history when olelo Hawaii (Hawaiian language) was prohibited in schools, a form of cultural suppression that substantially contributed to the near extinction of the Hawaiian language," the statement said. "It is disappointing that the state government continues to place barriers on olelo Hawaii, 40 years after Hawaii's Constitution was amended to recognize the Hawaiian language as an official language of the state. We demand that the state Judiciary find an immediate solution to this issue.""

Honolulu Star-Advertiser, January 26, 2018 reported: "An interpreter was not available when Kaeo showed up for a Nov. 22 hearing at which the prosecutor told Kobayashi she wanted to conduct the trial in English. In its written request the prosecutor says requiring a Hawaiian-language

interpreter will cause needless delay and unnecessary expense because Kaeo is fluent in English. The prosecutor also said a federal judge had ruled in a civil case that the right to assert a federally protected language does not extend to judicial proceedings. Kaeo did not submit a written response. ... The Hawaii Judiciary says Title VI of the Civil Rights Act of 1964 requires it to provide language interpreters when a party or a witness in a case has limited English proficiency or is unable to hear, understand, speak or use English sufficiently to effectively participate in court proceedings. Hawaiian cultural practitioner Daniel Anthony says he has intentionally gotten traffic tickets so he can go to court and assert his right to participate in the proceeding in Hawaiian. "I've been detained a couple of times," he said, but no longer than six hours. When the judge ordered him back into court in the afternoon to conduct the hearing, the prosecutor would ask to have the case continued every time he refused to speak in English. Anthony said the cases were dismissed, and the court eventually provided him a Hawaiian-language interpreter."

Chelsea Davis, Hawaii News Now, January 26, 2018, 3:45 PM reported: "The state Judiciary says it will provide interpreters to those seeking to speaking Hawaiian in court "to the extent reasonably possible." ... In a statement, the Judiciary said it will start implementing the new policy immediately. It also asked those interested to serve as Hawaiian interpreters to contact the Office of Equality and Access to the Courts at 539-4860. The policy stands in contrast to the Judiciary's previous statements on using Hawaiian in court. Earlier this week, the Judiciary said: "There is no legal requirement to provide Hawaiian language interpreters to court participants who speak English but prefer to speak in Hawaiian. In those cases, judges have the discretion to grant, or deny, a request for an interpreter." ... Kaeo said. "This is not just about language. This is a larger questions in which Hawaiians have been struggling to become visible within Hawaii and the world." ... The Hawaii State Judiciary issued a statement to Hawaii News Now on Wednesday stating, "there is no legal requirement to provide Hawaiian language interpreters to court participants who speak English but prefer to speak in Hawaiian. In those cases, judges have the discretion to grant, or deny, a request for an interpreter."

Honolulu Star-Advertiser, January 26, 2018, Breaking news at 4:28 PM reported: "The Hawaii State Judiciary will allow the use of Hawaiian language interpreters in courtrooms when participants in legal proceedings "choose to express themselves through the Hawaiian language." The new policy was announced today, following a widely reported incident ... In announcing the

new policy yesterday, the Judiciary said it would develop implementation procedures and solicited public input. Comments may be sent to pao@courts.hawaii.gov."

On January 27, 2018 I, Kenneth Conklin, sent an email to the Judiciary's public affairs office at the email address in the news report, which included the following points:

The Hawaiian language is a great treasure for Hawaii's people of all races, and indeed for all the world. Most people of good will are pleased to assist in preserving the language, reviving it and helping it to thrive in everyday use. I myself have spent considerable time and effort over a period of many years learning Hawaiian language to a level of moderate fluency; and I'm proud to use it for reading, writing, and occasionally in public speaking.

However, the primary purpose of our courts is to adjudicate cases in controversy in accord with the Constitution and statutes; it is not to engage in well-meaning adventures in cultural expression or "social justice." Indeed, there are good reasons why judges are given considerable protection against political pressure, including the campaign we have seen in recent days in the criminal trial of Samuel Kaleikoa Kaeo (Maui) and the civil case regarding possession and occupancy of the Coco Palms resort (Kaua'i).

Let me remind you that judges and lawyers take an oath to support and defend the Constitution of the United States and of the State of Hawaii -- not an oath of allegiance to the Kingdom of Hawaii nor to an effort to restore Hawaii as an independent nation nor to help create a Hawaiian tribe.

Perhaps you intend to persist in a newly adopted policy of allowing testimony in Hawaiian language by people who are equally fluent in English, and perhaps also allowing written documents in Hawaiian language to be introduced as testimony or evidence or exhibits, and perhaps also providing Hawaiian language interpreters at taxpayer expense.

If you do these things for ethnic Hawaiians, and/or for speakers of Hawaiian language, then you MUST also do these things for people of all ethnicities and all languages. The 14th Amendment to the U.S. Constitution includes the Equal Protection clause which requires all people to be treated equally under the law and has been interpreted to require equal treatment regardless of race, religion, or national origin.

Hawaii has thousands of people who are first or second generation from Philippines, Japan, China, Korea, etc. who are fluent in English but who might prefer to use their native language in court. You must now allow them to do so. Indeed, their right to use their native language is superior to the right of an ethnic Hawaiian to use Hawaiian, because virtually 100% of the people who speak Hawaiian are native speakers of English (i.e., they grew up speaking English) even though they are genetically natives of Hawaii.

Let me remind you that Article XV Section 4 of the Hawaii Constitution includes a disclaimer or restriction, which I have emphasized in this quotation of it: "English and Hawaiian shall be the official languages of Hawaii, EXCEPT THAT HAWAIIAN SHALL BE REQUIRED FOR PUBLIC ACTS AND TRANSACTIONS ONLY AS PROVIDED BY LAW."

I have researched the legislative history of Article XV Section 4 from the transcripts of the Constitutional Convention of 1978, and have found no evidence that there was any legislative intent to place Hawaiian on an equal footing with English in legal proceedings. Indeed, the author of Article XV Section 4, Adelaide (Frenchy) De Soto, explicitly said that her reason for introducing it was her unhappiness that Hawaiian was grouped with foreign languages in college catalogues. Please see my webpage on this topic at <https://tinyurl.com/ybn4l6pd>

One more point needs to be raised here even though it is "politically incorrect" and perhaps painful to do so.

Probably everyone who chooses to use Hawaiian language in court proceedings will do so for political reasons as an act of resistance, defiance and hostility toward the United States and its "puppet regime" the State of Hawaii.

The Hawaiian-speakers in your courtrooms are engaged in street-theatre. They are literally in contempt of court, because they claim your court has no jurisdiction over them due to the "illegal military invasion and occupation" of Hawaii as admitted in the U.S. "confession" of 1993 (i.e., the apology resolution). So even after you are so kind to let them testify in Hawaiian, and you are so generous to pay for their interpreters, they will then refuse to obey your decision or court order.

These Hawaiian sovereignty protesters are intentionally using Hawaiian language as a political weapon to delay and disrupt court proceedings, and

to assert the continuing existence of a Hawaiian nation. By allowing Hawaiian language testimony you are allowing your courtroom to be used as the stage for a political rally by people who refuse to recognize your jurisdiction or legitimacy. Whether you realize it or not, you are an enabler and accessory to racial divisiveness, anti-Americanism, anarchy and revolution. Please see my large, detailed webpage "Hawaiian Language as a Political Weapon" at <http://tinyurl.com/668vqyz>

## **Hawaii State Legislature**

**February 5, 2023**

**The Honorable David A. Tarnes, Chair**

**The Honorable Gregg Takayama, Vice Chair**

**and Members of Committee on Judiciary and Hawaiian Affairs**

**S.B. No. 57: RELATING TO THE JUDICIARY'S 'OLELO HAWAIIAN INITIATIVES.**

**Tuesday, February 9, 2023, 1:00 PM Via Videoconference**

Dear Chair David A. Tarnes, Vice Chair Gregg Takayama, and Members of the Committee:

My name is Jill Thompson, a student with Myron B. Thompson School of Social Work and Public Health at the University of Hawaii at Manoa. I respectfully submit the following testimony in strong support of S.B. 57, Relating to the Judiciary's 'Olelo Hawaiian Initiatives. I am a recipient of the Na Ho'okama scholarship which aids Native Hawaiians to pursue their higher educational goals. The importance of this indigenous scholarship provides opportunities for people such as myself who strive for higher education to have educational career guidance, counseling, and financial assistance if necessary. Along with all things pertaining to 'Olelo Hawaiian Initiatives I feel it is essential for the Native Hawaiian culture that the funding be available for fiscal year 2022-2023 and 2024-2025 so that in place infrastructure and additional resources be available for support of 'Olelo Hawaii. I believe that S.B. 57 will strengthen the rebuilding and resurgence of the Native Hawaiian Nation through appropriated funds for staff positions and varies services to support 'Olelo Hawaii Initiatives.

As a master's degree candidate of the graduating class of 2023, I foresee a future serving my Native Hawaiian people and would be honored to seek career goals within the 'Olelo Hawaiian Initiatives. Social work and public health is necessary for our Native Hawaiian communities, neighborhoods, and future. Per the contents of this written testimony, I ask for you to consider S.B. 57 and see it does pass as it is important for the financial foundation to continue its strong structure and to be built upon.

Mahalo Nui Loa Chair David A. Tarnes, Vice Chair Gregg Takayama and the Judiciary and Hawaiian Affairs Committee.

Sincerely,

Jill Thompson  
MSW Candidate  
Thompson School of Social Work and Public Health

**University of Hawaii at Manoa**

**SB-57**

Submitted on: 1/31/2023 11:38:32 AM  
Testimony for JDC on 2/9/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl Burghardt	Individual	Support	Written Testimony Only

**Comments:**

I 100% SUPPORT the funding of these initiatives for 'ōlelo Hawai'i. It is the first language of these islands and should be recognized and supported as such.

**SB-57**

Submitted on: 2/1/2023 4:22:24 PM  
Testimony for JDC on 2/9/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dara Yatsushiro	Individual	Support	Written Testimony Only

Comments:

Stand in SUPPORT

**SB-57**

Submitted on: 2/1/2023 9:57:52 PM  
Testimony for JDC on 2/9/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Megan Blazak	Individual	Support	Written Testimony Only

Comments:

Support

**SB-57**

Submitted on: 2/2/2023 1:35:43 PM  
Testimony for JDC on 2/9/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Hulali D Patoc	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support SB57

**SB-57**

Submitted on: 2/5/2023 3:11:08 PM  
Testimony for JDC on 2/9/2023 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabriel Kekauoha	Individual	Oppose	Written Testimony Only

**Comments:**

I do not support this bill. While safely and legally armed, a citizen shouldnt be limited to where they can carry. This bill would certainly put lives in danger.