



LATE

Committee: Senate Committee on Water, Land, Culture and the Arts
Hearing Date/Time: Friday, February 13, 2026, at 1:01 PM
Place: Conference Room 224 & via Videoconference
Re: Testimony of the ACLU of Hawai'i in **SUPPORT** of S.B. 3250,
Relating to Liberty and Justice Day

Dear Chair Lee, Vice Chair Inouye, and committee members:

The American Civil Liberties Union of Hawai'i ("ACLU-HI") supports S.B. 3250, which would designate March 5 of each year as Liberty and Justice Day.

For more than sixty years, ACLU-HI has worked to defend and preserve the individual rights and liberties guaranteed by the United States Constitution and the Hawai'i State Constitution. S.B. 3250 reflects a foundational truth that animates that work: constitutional democracy requires vigilance, accountability, and an engaged public.

The bill appropriately roots Liberty and Justice Day in the promise that all people are endowed with unalienable rights to life, liberty, and the pursuit of happiness. But these rights are not self-executing. Rights endure only when people insist upon them and when government actors are held accountable to constitutional limits.

March 5 carries deep historical resonance. The events of March 5, 1770, when British soldiers fired into a crowd in Boston, killing five individuals, became a catalyst for public outcry, civic mobilization, and ultimately the American Revolution. That history underscores a central lesson of constitutional governance: unchecked state violence and unaccountable power corrode legitimacy and undermine the consent of the governed.

Our nation's history since that time has repeatedly demonstrated the fragility of liberty. The forced incarceration of Japanese Americans during World War II stands as a stark reminder that constitutional guarantees can fail when fear and prejudice overtake principle. Civil rights advocates were surveilled, intimidated, and jailed for exercising First Amendment freedoms. Students protesting the Vietnam War were shot at Kent State University. Communities across the country have experienced unjustified uses of force by law enforcement. In more recent years, arrests and deportations without meaningful due process and the use of force against individuals engaged in protest have again raised urgent constitutional concerns.

Hawai‘i has its own history with these issues. The internment of residents of Japanese ancestry during World War II and the imposition of martial law in the Territory of Hawai‘i illustrate how quickly civil liberties can be constrained when government power expands without adequate checks. These experiences underscore why constitutional accountability must never be taken for granted.

Liberty and Justice Day would not create a new legal mandate or a state holiday. Instead, it would serve as a solemn civic observance, reminding us that the preservation of constitutional rights requires continual reaffirmation. It would honor those who have suffered or lost their lives as a result of government-sponsored violence, injustice, or oppression, and it would reaffirm the principle that government actors who violate constitutional rights must be held to account.

Importantly, this observance recognizes that speech, protest, and assembly are not threats to democracy but essential features of it. The right to dissent peacefully and to demand reform when government falls short is embedded in the First Amendment and echoed in our state constitution. When those rights are met with repression rather than protection, democracy itself is weakened.

Designating March 5 as Liberty and Justice Day sends a clear message that Hawai‘i remains committed to constitutional governance, accountability, and the protection of fundamental rights. It affirms that liberty and justice are not static achievements but ongoing responsibilities.

For these reasons, ACLU-HI respectfully urges this Committee to pass S.B. 3250.

Mahalo for the opportunity to testify.



Mandy Fernandes
Policy Director
ACLU of Hawai‘i

With more than 4,000 Hawaii-based members, the mission of the American Civil Liberties Union of Hawai‘i is to protect the fundamental freedoms enshrined in the United States and Hawai‘i State Constitutions through legislative, litigation, and public education work. 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 our communities in Hawai‘i for over 60 years.

JAN 28 2026

A BILL FOR AN ACT

RELATING TO LIBERTY AND JUSTICE DAY.

LATE

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the Declaration of
2 Independence proclaims as self-evident that all people are
3 endowed with unalienable rights, including rights to life,
4 liberty, and the pursuit of happiness. These rights are
5 manifest in the Bill of Rights enshrined in the United States
6 Constitution.

7 To secure these rights, governments derive their just
8 powers from the consent of the governed. Whenever any form of
9 government becomes destructive toward these ends, it is the
10 right and the duty of the people to alter or abolish that form
11 of government and to provide new guards for their future
12 security.

13 The legislature finds that constitutional rights and
14 democracy are eroded when government power goes unchecked or
15 without accountability. Ensuring liberty and justice requires
16 eternal vigilance and the reaffirmation of consent by the people
17 freely exercising the rights that the United States Constitution



1 guarantees to them, especially the right to protest when a
2 government attempts to curtail those constitutionally guaranteed
3 rights.

4 The legislature finds that there is a long history of
5 government-sponsored abuses and usurpations of power afflicting
6 the rights of the people. These abuses and usurpations have
7 only been corrected when the government has been held to
8 account.

9 On March 5, 1770, government soldiers fired into a crowd of
10 people in Boston, killing five individuals and catalyzing
11 widespread protests that led to the American Revolution,
12 Declaration of Independence, and the enumeration of rights, due
13 process, justice, and checks and balances being enshrined in the
14 United States Constitution.

15 Numerous incidents of government violence, injustice, and
16 oppression have occurred since that time, including such notable
17 examples as the forced internment of Japanese Americans during
18 World War II, the intimidation and arrest of civil rights
19 advocates, shootings of protesting college students at Kent
20 state university, the unjustified use of force by law
21 enforcement officers throughout the country, and, more recently,



1 the arrest or deportation of citizens and immigrants without due
2 process, and acts of unjustified violence by federal agents and
3 agencies without, independent investigation or an ability to
4 bring these agents and agencies to account.

5 The legislature finds that establishing a day of liberty
6 and justice will serve as a solemn reminder that the
7 preservation of freedom requires continued vigilance against the
8 abuse of government authority, particularly when directed at
9 people engaging in civic participation or dissent. This
10 observance would recognize that the exercise of constitutional
11 rights, especially speech, protest, and assembly, must never be
12 met with violence, repression, or punishment by the government.

13 The legislature further finds that Liberty and Justice Day
14 would serve as a memorial to all those who have suffered or died
15 as a result of government-sponsored violence, injustice, and
16 oppression. Its observance would also acknowledge that when a
17 government violates constitutional rights and is not held
18 accountable, the harm is not only personal and tragic but also
19 corrosive to democracy itself. Finally, Liberty and Justice Day
20 would reaffirm the duty of a free people to ensure that no
21 person is deprived of the unalienable rights guaranteed to them



1 by the United States Constitution, and that those responsible
2 for violating those rights must be held to account.

3 Accordingly, the purpose of this Act is to establish
4 Liberty and Justice Day, to be recognized on March 5 of every
5 year.

6 SECTION 2. Chapter 8, Hawaii Revised Statutes, is amended
7 by adding a new section to be appropriately designated and to
8 read as follows:

9 "§8- Liberty and Justice Day. March 5 of every year
10 shall be known and designated as "Liberty and Justice Day";
11 provided that this day is not and shall not be construed to be a
12 state holiday. The day shall be commemorated to reaffirm the
13 duty of a free people to ensure that no person is deprived of
14 the unalienable rights guaranteed to them by the United States
15 Constitution and that anyone responsible for violating those
16 rights is held to account; and to honor and remember those who
17 have suffered or whose lives were lost as a result of
18 government-sponsored violence, injustice, or oppression."

19 SECTION 3. New statutory material is underscored.



S.B. NO. 3250

1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be 'Cen', is written over a horizontal line.

S.B. NO. 3250

Report Title:

Liberty and Justice Day; Day of Observance; March 5

Description:

Designates March 5 of every year as Liberty and Justice Day.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



SB-3250

Submitted on: 2/13/2026 8:05:13 AM

Testimony for WLA on 2/13/2026 1:01:00 PM



Submitted By	Organization	Testifier Position	Testify
Tabatha Aiko Knudson	Individual	Support	Written Testimony Only

Comments:

Aloha esteemed committee members,

My name is Tabatha Knudson and I am from east Honolulu. I have been incredibly grateful to have grown up in Hawai‘i, and while we are not perfect, I am often proud when we stand up for the right things. While it is merely a symbol, the recognition that SB3250 aims to provide is substantial and important. As someone who is horrified by everything that is going on in our country, I strongly urge you to support SB3250.

I work alongside many colleagues across the United States, in states that have been some of the hardest hit by state-sanctioned violence, including Minnesota, California, New York, Louisiana, Oregon, and more. Of course, Hawai‘i is also not immune, and has, and continues to, perpetuate state violence as well. It has been gut wrenching and heart breaking to see the pain that they are experiencing—their neighbors, loved ones, families, and friends having their constitutional rights violated with violence from state and federal agencies, who are often acting illegally. My colleagues and their communities should never have to face loss, pain, or suffering as retaliation by the government for exercising their unalienable constitutional rights—of which the government themselves are meant to protect. If the government isn’t protecting the people nor their rights, nor the constitution, what’s it all for?

Formally recognizing the inexcusable pain, suffering, injustice, and violence at the hands of a government meant to protect your rights, is the first step to improving our communities and protecting our democracy. It makes me proud that Hawai'i legislators are proposing this bill in the wake of the violence occurring across the nation as a result of our nation's government. In addition to supporting this bill, I strongly encourage Hawai‘i’s legislators to go even further and advocate for legislation that would ensure accountability and prevent state-violence from continuing in the future. No one, regardless of their history or citizenship, deserves to die for exercising their constitutional rights. If we accept this, we are dismantling the foundations of democracy.

Thank you for taking the time to read my testimony, and I strongly urge you to support SB3250.

Tabatha Knudson

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