

pass on of the GET is a matter of contract between the vendor and the tax-exempt customer.

11. Our organization rents out facilities it owns to other nonprofits, members, and the general public. Are these rents subject to the GET?

Yes. In general, when an organization leases or rents its facilities out to others, it is considered to be engaging in a business activity even if the rent may be just a cost recovery amount. Some organizations whose stated primary purpose is to provide facilities to the underprivileged or other exempt organizations may not be subject to the GET if they have been properly registered with the Department. See Question #6.

12. What type of income qualifies as donations and why aren't donations subject to the GET?

A donation is a gift which is voluntarily given without compensation or any expectation of return. Section 237-24(4), HRS, exempts "the value of all property of every kind and sort acquired by gift, bequest or devise". If a donor purchases a ticket for a dinner, concert, bowl of chili, or the like, the ticket sale is not a donation because something of value is being received for the donation. This remains true whether or not the donor has any intention of redeeming the ticket. Whether a receipt is a true donation depends on the circumstances of the activity involved, not on the name given to the transaction. For example, if an organization offers the use of its facilities in exchange for a "donation", the receipt will be treated as rental income subject to the GET.

13. We received payments for a benefit dinner. Why are we taxable on the gross amount and not just the amount designated as the cost of the dinner?

The rules for determining the amount of the contribution deductible for income tax purposes and the amount subject to the GET differ. For income tax purposes, federal rules permit under some circumstances the subtraction of the value of the goods or services provided by the charity from the total contribution to determine the deductible portion of the contribution. The GET, as a gross receipts tax, does not allow for such deductions to reduce the gross receipts subject to the GET even if a portion of the ticket price is considered a "donation".

14. We sell items and services which are donated to our organization. Are the amounts received from the sale of these donated items and services taxable for GET purposes?

Yes. The sale (including sales by auction) by a tax-exempt organization of donated items for fundraising purposes is an "activity the primary purpose of which is to produce income"; consequently, the gross proceeds derived from the activity is subject to the GET.

15. Does an activity have to be "profitable" in order for it to be subject to the GET?

No. See Questions #9 and #13.

16. We receive interest income from interest bearing checking and savings accounts. Are these amounts taxable for GET purposes?

The law provides that gross income subject to the GET includes, among other things, all receipts, actual or accrued by reason of the investment of the capital of the business engaged in, including interest. The contributions, donations, and dues received by the organization, as well as the income derived in conjunction with the organization's tax-exempt purpose and deposited in the bank, do not constitute "investment of the capital of a business in which engaged". A tax-exempt organization is not created for the purpose of making profits and, in theory, the interest received is deemed incidental to the primary purpose of depositing the monies in the bank for safekeeping, not for a business purpose, and consequently is not subject to the GET. However, interest earned from funds derived from an unrelated trade or business activity would be subject to the GET. See Question #5. (For a general discussion on the application of the GET to interest income, see Tax Information Release No. 42-74.)

17. If we are registered with the State as an exempt organization under the GET law, does this mean we also are exempt from paying the use tax?

No. Although section 237-23, HRS, exempts certain nonprofit organizations which have properly registered for exemption from the GET, the use tax law does not provide a corresponding exemption. The use tax levels the playing field for local merchants by requiring customers who acquire goods from out-of-state sellers to pay a tax on that purchase at the same rate that an in-state seller would have paid in GET if the sale had occurred in Hawaii. For more information on the use tax law, see Tax Facts No. 95-1, "All About the Hawaii Use Tax".

18. Where can we get additional information and assistance on how to start a nonprofit organization?

Act 120, Session Laws of Hawaii 1996, effective July 1, 1996, eliminated the requirement that charitable organizations register or file a statement of exemption with the Business Registration Division of the Department of Commerce and Consumer Affairs (DCCA) prior to soliciting funds in Hawaii. Act 120 did not eliminate the annual report requirements for foreign or domestic nonprofit corporations or any tax return filing requirements. For information on how to organize your nonprofit organization under Hawaii's Nonprofit Corporation Act (Chapter 415B, HRS), contact the Business Registration Division of the DCCA at (808)586-2727.

There also is a nonprofit organization which has an

assistance program to help individuals set up a nonprofit organization. Contact the Hawaii Community Services Council, Help for Nonprofits Program, 200 N. Vineyard

Boulevard, Suite 415, Honolulu, Hawaii 96817, or call them at (808) 521-3861.

STATE DISTRICT TAX OFFICE ADDRESSES & TELEPHONE NUMBERS

Website (Forms & Information)
<http://www.state.hi.us/tax/tax.html>

CD-ROM (Forms & Info)
Nominal Cost (Limited Supply)

Forms by Mail
808-587-7572
Toll-Free: 1-800-222-7572

Recorded Tax Updates
808-587-1234 and press 7700

Forms by FAX
Oahu 587-7572
Outside Oahu 808-678-9522 from
your fax machine

Telephone Devices for the Deaf (TDD)
Tax Service & Processing
808-587-1418
Toll-Free: 1-800-887-8974

Oahu District Tax Office
830 Punchbowl Street
P. O. Box 3559
Honolulu, HI 96811-3559

Maui District Tax Office
54 South High Street
P. O. Box 913
Wailuku, HI 96793-0913

Hawaii District Tax Office
75 Aupuni Street
P. O. Box 1377
Hilo, HI 96721-1377

Kauai District Tax Office
3060 Eiwa Street
P. O. Box 1688
Lihue, HI 96766-5688

Tax Information
Telephone No.: 808-587-4242
Jan.-April 20: 808-587-6515
Toll-Free: 1-800-222-3229
Fax No.: 808-587-1488

Telephone No.: 808-984-8500
Fax No.: 808-984-8522

Telephone No.: 808-974-6321
Fax No.: 808-974-6300

Telephone No.: 808-274-3456
Fax No.: 808-274-3461

The following publications are available from the Department of Taxation:

"An Introduction to the General Excise Tax"
"An Introduction to the Use Tax"
"An Introduction to the Tax Clearance Procedure"
Tax Facts 95-1: *"All About the Hawaii Use Tax"*
Tax Facts 96-1: *"General Excise vs. Sales Tax"*
Tax Facts 96-3: *"Tax Clearances Now Needed by Businesses Entering into State & County Contracts"*
Tax Facts 97-3: *"Starting a Business - Licenses and Taxes"*
Tax Information Release No. 21-69, *"General Excise Tax and Real Property Tax Exemptions as Applicable to Preschools or Day-Care Centers Operated by Churches"*
Tax Information Release No. 42-74, *"Application of the General*

Excise Tax to Interest Income"
Tax Information Release No. 89-6, *"General Excise Tax on the Fundraising Activities of Public School Sponsored Groups"*
Tax Information Release No. 89-13, *Application for Exemption from the General Excise Taxes for Nonprofit Organizations"*
Tax Information Release No. 91-2, *"Taxability of Gross Proceeds Received by a Nonprofit Organization From the Sale of Donated Services or Tangible Personal Property"*
Tax Information Release No. 91-4, *"Hawaii Tax Obligations of Nonprofit Organizations"*

Some of the information contained in this Tax Facts was obtained from the Internal Revenue Service Publication 557, *"Tax Exempt Status for Your Organization"*

Tax Facts is a publication of the Department of Taxation on tax subjects of current interest and is not intended to be a complete statement of the law. Subsequent developments in the law (legislation, rules, cases, etc.) should be consulted.

FOR MORE INFORMATION CONTACT: TAXPAYER SERVICES (808) 587-4242

Hawai'i Civil Rights Commission

Testimony RE: S.B. No. 1

Attachment B

"Tax Advisory on the Application of the General Excise Tax to Tourist Wedding Activities of Churches", April 27, 1997.

BENJAMIN J. CAYETANO
GOVERNOR

MAZIE HIRONO
LT. GOVERNOR



RAY K. KAMIKAWA
DIRECTOR OF TAXATION

SUSAN K. INOUE
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF TAXATION

PO BOX 259
HONOLULU, HI 96809

April 21, 1997

**TAX ADVISORY ON THE APPLICATION OF THE GENERAL EXCISE
TAX TO TOURIST WEDDING ACTIVITIES OF CHURCHES**

Recently, questions have been raised regarding the application of the general excise tax to the income received from tourist "wedding" activities on church premises. This advisory provides information about the general excise tax exemption for churches and, in particular, their tourist wedding activities.

Section 237-23(a), Hawaii Revised Statutes (HRS), provides that the general excise tax shall not apply to corporations, associations, trusts, or societies organized and operated exclusively for religious, charitable, scientific, or educational purposes.

Section 237-23(b), HRS, further provides that the exemption shall apply only to the fraternal, religious, charitable, scientific, educational, communal, or social welfare activities of such persons, and not to any activity the primary purpose of which is to produce income even though the income is to be used for or in furtherance of the exempt activities of such persons.

Section 237-23(c), HRS, provides that in order to obtain an exemption from the general excise taxes, the organization must file Form G-6, Application for Exemption from the Payment of General Excise Taxes, with the Hawaii Department of Taxation for approval.

The following discussion assumes that the church in question is organized and operated for a religious purpose, and has applied and received approval for exemption from the general excise tax.

In performing traditional wedding ceremonies, a church is conducting an activity that is religious in nature. Accordingly, income received from the conduct of these ceremonies are generally considered exempt from the general excise tax. With the recent introduction of tourist "wedding" activities on church premises on a wholesale basis, questions have arisen as to whether the income derived from this activity qualifies for exemption from the general excise tax.

The test is whether the primary purpose of the tourist "wedding" activity is religious or fundraising in nature. If fundraising, the income received from the activity will be subject to the 4 percent general excise tax. This determination is made on a case-by-case basis taking into account all of the facts involved.

April 21, 1997

Page 2

For example, if the ceremony performed is in fact a wedding (as opposed to, say, a reenactment of one) conducted on church premises by the church minister, priest, or other officiator, then the activity will be considered religious and not income-producing. On the other hand, if the weddings are arranged, packaged and conducted through a commercial entity without church involvement other than making available the use of church premises, the "wedding" activity will be considered fundraising in nature. Even though the wedding activity may be conducted by the church minister, priest, or other officiator, the activity can take on a commercial hue that is so predominant as to render it fundraising in nature (considering the size and frequency of the activity, how the activity is marketed, the amount of time and resources expended, and the amount of revenues derived from the activity).

We recognize that there maybe other factual circumstances not detailed in the preceding paragraph. In order to ensure that the correct reporting position is being taken on these activities, a church may ask the department for a ruling on its specific circumstances. A ruling is requested by submitting a Form A-7 to the department. Please call 587-7572, our forms line, and ask for the Form A-7 with instructions.

In general, the honoraria or fee that the minister, priest, or other officiator receives for performing the wedding ceremony is subject to the 4 percent general excise tax. However, where the honoraria or fee is turned over intact to the church and the wedding ceremony is not viewed as primarily fundraising, then the gross income will not be taxable under the general excise tax.

Aside from tourist wedding activities, many church facilities are made available for use by other organizations, individuals, or community groups. Amounts charged for this use will be considered rental income subject to the 4 percent general excise tax. Whether it is called "rental," "user donation," "donation," or by some other designation, the charge for the use of church facilities will as a general rule be considered fundraising in nature.



O'AHU COUNTY COMMITTEE DEMOCRATIC PARTY OF HAWAII

October 27, 2013

Aloha Chair Hee and Vice Chair Shimabukuro:

I am submitting this testimony in support of SB 1, Relating to Equal Rights (Marriage Equality), in my capacity as Chair of the O'ahu County Democrats of the Democratic Party of Hawaii.

Our State Legislature routinely considers matters of great import for Hawaii and all of her people. Every now and then, however, a piece of legislation is brought to the fore that crosses the line from important to fundamental. SB 1 is just such a piece of legislation as it addresses basic issues of human rights, self-determination, and the freedom to love whom you want.

In 1967, the Supreme Court of the United States, in the appropriately titled case of Loving v. Virginia, held that Virginia's "Racial Integrity Act of 1924," which prohibited marriage between people classified as "white" and people classified as "colored," was unconstitutional. Chief Justice Earl Warren's decision for a unanimous court held in part that "[m]arriage is one of the 'basic civil rights of man,' fundamental to our very existence and survival . . . [t]o deny this fundamental freedom on so unsupportable a basis as the racial classifications . . . is surely to deprive all the State's citizens of liberty without due process of law."

Although Loving overturned a prohibition against interracial marriages between black people and white people, those prohibitions reflected a racial animus that surely extended to any type of so-called mixed marriages. Imagine what *our* state would look like under such a construct. There are likely few people in this room right now who can claim only one ethnic heritage. That diversity has made Hawaii strong. It has made us beautiful. It has made us an example for the rest of the world of what can be accomplished, through the aloha spirit, when two consenting adults love each other and commit to each other, and are not denied that right simply because someone else doesn't approve of their marriage.

Who you love should not be defined and limited by *what* you are.

DOMA has been overturned. President Barack Obama, Hawaii's native son, did us proud as the first sitting American President to go on record supporting marriage equity. And in May of this year it was reported that 53% of Americans say the law should recognize same-sex marriages, the third consecutive reading of 50% or above in Gallup polling over the past year.

Some have opposed this bill arguing that a parade of horrors will follow if it is passed. We know instinctively that is not true, but, fortunately, we don't need to rely on mere instinct. This is no experiment. It has already been tried and tested. And it has worked.

As of October 2013, fourteen states (California, Connecticut, Delaware, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Washington), the District of Columbia, several counties in New Mexico, and seven Native American

tribal jurisdictions – covering 33% of the US population – issue marriage licenses for same-sex couples. Oregon recognizes same-sex marriages performed in other states. Society has not broken down in those states. Opposite sex couples have not stopped getting married in those states. Rates of child abuse have not increased in those states. All that has happened is that more families have been solidified through the bonds of marriage. More educated, productive couples have moved to those states that value their relationships, and as a result those states have seen their economies strengthen, according to reports from organizations ranging from the Congressional Budget Office to CNN Money.

Marriage equity is the right thing to do. It's also the smart thing to do for Hawaii's economy. That's a powerful combination.

Section 5-7.5 of the Hawaii Revised Statutes provides that “[i]n exercising their power on behalf of the people and in fulfillment of their responsibilities, obligations and service to the people, the legislature . . . may contemplate and reside with the life force and give consideration to the ‘Aloha Spirit.’”

We believe that extending equal rights to all is within the keeping of the Aloha Spirit.

Finally, marriage equity is part of the platform of the Democratic Party of Hawai'i. That is why the State Central Committee of the Democratic Party of Hawai'i passed a resolution on August 24, 2013 asking this body pass marriage equity legislation during a special session. Therefore, I end this testimony with a simple thank you. Thank you for taking up this issue. Thank you for providing hope to loving couples all across Hawaii that soon they too may be able to proudly proclaim their love through marriage, rather than be relegated to some "less than" status. Thank you for having the courage and vision to make this possible.

Mahalo nui loa,

Joshua Wisch

Chair, O'ahu County Democrats of the Democratic Party of Hawai'i

From: [Rev. George M. Lee](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 10:45:57 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

I have lived and worked in Hawaii since 1966. I am now 86 years old and I speak with the maturity of years in church ministry and community organizing. I was one of the founders of the KEY Project, Kahaluu, the Waikiki Community Center, and partnered with the Kamehameha Schools to provide Early Childhood Education at St. Philip's Episcopal Church, Mai ili.

I am married and have five children and seven grandchildren. Four of the five children are in traditional marriages. The fifth is in a civil union.

We are a family of productive and caring individuals. Nothing in my family experience has ever been weakened or undermined by having a gay person or couple in it.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. The government should not be in the business of telling churches who they can marry or not marry. A group of churches should not be able to use the government to impose their doctrine on other churches and faith groups. It is what makes America a light to the rest of the world.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

The Rev. George Lee

Rev. George M. Lee
2468 Lamaku Pl
Honolulu, HI 96816

From: [Joel Fischer](mailto:Joel.Fischer)
To: [JDLTestimony-InPerson: jfischer@hawaii.edu](mailto:jfischer@hawaii.edu)
Subject: SB1, Relating to Equal Rights, Monday, 10:30AM
Date: Wednesday, October 23, 2013 1:50:06 PM

SB1, Relating to Equal Rights
JDL; Chair, Sen. Hee

PLEASE PASS THIS BILL!! IT IS LONG OVERDUE!

There are so many misinterpretations and so much misinformation out in the community about this bill to secure equal rights for all. One need only read the Letters-To-The Editor each day in the Star-Advertiser to see how many of our people are being moved by fear tactics and outright lies by the opposition. Even some editorial writers don't get it.

Take, for example, The Vicki Viotti article, "Guardians of the Faith" (Star-Advertiser, 10/20/13, p. F1). This article is based on the wrong basic premise: the "hard-nosed legal issue" is NOT "the balance between religious freedom and equal treatment." It is, rather, does the State have the right to deprive ANYBODY of the right to life, liberty and the pursuit of happiness.

As a minister since my ordination in 1966 (unaffiliated), I am shocked by the hatred and bigotry of religious "leaders" who will say anything no matter how cruel or discriminatory and use any strategy to cover up their basic hostility to any one who is different from them and in opposition to marriage equality for ALL of our people.

Take, e.g., the call to let the public vote on whether everyone deserves the civil and human rights that some of us, including my wife and me, currently enjoy. Perhaps that is not such a bad idea IF, and only if, these so-called religious leaders will accept that other rights currently enjoyed by some but not all also are put to the vote, such as:

1. The outrageous tax exemptions provided to organized religions;
2. Removing religious exemptions for ANY marriages, same sex, opposite sex or any other discriminatory practices by religions;

3. Whether full-time religious employees such as priests, ministers, rabbis and imans should be allowed to a) lobby without registering as lobbyists and b) preach to their congregations about how they should vote on any issue.

Our community needs real religious leaders like Sister Joan Chatfield (“Golden Rule Should Guide Marriage Issue”, Star Advertiser, 10/20/2013, p. F2) who truly understand the capacity for religion to promote the ideology that Love Conquers Hate.

This bill will end discrimination against many of our own neighbors, relatives and friends. What kind of person could oppose an end to discrimination?

THANK YOU SO MUCH FOR MOVING THIS BILL FORWARD.

Aloha, joel

Dr. Joel Fischer

Professor (RET.)

University of Hawai`i, School of Social Work

Honolulu 96822

Name: Valerie Smith

Re: SB 1 Relating to Equal Rights

To: Committee on Judiciary and Labor

Hearing Date: 10/28/13

Time: 10:30 AM

Testimony: in person, in support

Dear Chair Hee, Vice Chair Shimabukuro, and members of the committee:

My wife and I are excited to welcome our first child this November. We expect this adventure to yield an abundance of joys, but we do not expect Hawaii's civil union law to compound our challenges by standing in the way of federal recognition, blocking access to critical rights, benefits, and protections. Despite holding a valid marriage license, as it now stands, our baby will be born into what Hawaii will only legally consider a civil union. Since DOMA's defeat, civil unions - once touted as fair and equal - have now been exposed as a subordinate status and a clear impediment to full equality.

Although our legal marriage status grants us limited access, those in a Hawaii civil union are denied all access to federal benefits. These include: the right to file joint tax returns and exemption from income tax on health premiums; access to Family and Medical Leave protections; and COBRA and Social Security benefits. Delaying marriage equality now effectively sanctions an unjust burden upon same-sex families.

Most married couples are unable to enumerate the 1138 federal rights marriage confers because they cannot anticipate all the circumstances in which they might need them. Instead, they derive a single, sweeping sense of security from knowing they are entitled to all. LGBT couples, however, continue to worry about when and how laws unbind them as a family. Marriage, like no other status, provides the reputation and framework for uniformity, comprehensiveness, and equal treatment.

In addition to these practical reasons, honest recognition of our shared social roles and experiences is very important to us. Ideally, our child would be born in a state that recognizes us as what we are – married. This is not only our wish as parents, but our parents' wish for their grandchild.

Religious opponents have claimed that marriage is a societal bond. I agree. Like many Americans, I grew up understanding marriage as a social institution and participated in, contributed, and aspired to its ideal. Its influence was

pervasive and reinforced at every juncture of human interaction: school, work, church, the media, etc. At home, it was upheld as a tradition and an expectation. These factors naturally instilled in me a sense of social connection, membership, and merit, engendering the awareness that marriage belongs to me as much as it does to any other individual or belief system. It is impossible to remove this sense of ownership from me to the same extent it is impossible to extract my membership and experiences from society, or even my own family.

To claim we do not merit marriage is to refuse to admit we are an inextricable part and product of society. This denial may explain why some would insist on difference rather than commonality when it comes to two of the most meaningful, life-changing events of the human condition: marriage and the gift of children.

For the sake of our family, and the many others in our state, we ask for your solidarity and support in passing marriage equality this year. As a mother-to-be, I simply cannot be expected to desire any other outcome.

From: [Bradley Kane](#)
To: [JDLTestimony-InPerson](#)
Subject: Testimony SB 1
Date: Sunday, October 27, 2013 12:13:31 AM

Hello, my name is Bradley Kane and I would like to marry my partner, Erik. Six years ago, I decided to start my family. I was a single man at the time and I had the unexpected opportunity to adopt my son, Aiden. I brought my son back to Hawaii when he was two weeks old and since then have dedicated my life to him. A few months of just myself and Aiden I decided to finally go on a first date with someone after communicating with him for the previous six months. I brought my son on the date, this person needed to know what he was getting himself into if he wanted to date me. On this first date, we went to a Thai restaurant in Manoa and it really was love at first sight. We had wonderful conversation and connected with each other. Our relationship continued to grow and we continued to learn from each other. When our son started talking, Aiden called me daddy and my partner was baba. Our son started speaking Mandarin and English from the beginning, we enrolled him in preschool, we enrolled him in kindergarten at Hahaione Elementary School in Hawaii Kai, where we live and he is now in the 1st grade. Exactly three years after our first date, I proposed to Erik on the top of Tantalus and we shared a romantic five-course meal prepared and served by great friends. Why am I sharing this with you? Some parts of my story might resonate with you. While the experiences may not be the same, I am sure we have shared the same emotions, you and I: unconditional love when you saw your child for the first time, feelings of new love with someone you have been dating, and deep love and adoration when you realize that the person you have been building your life with is the one you want to spend the rest of your life with. In 2010, marriage was moving closer and closer to reality. I proposed to my partner with the hopes that we might be able to legally be married one day. Civil Unions came along and we were happy to see movement, but we knew in our hearts that this was just not the same thing. Marriage for my partner and I would mean extra stability for our family, more resources to provide a good life for our son and our future children, and knowing that our relationship will be treated the same as other married couples through out the country. This isn't about gender, and it shouldn't be about orientation. It's about two adults having the freedom to choose to be together and have that togetherness, union, marriage accepted in the eyes of the law just as any other couple. This is important to us, I suspect that this is important for you too.

Bradley Kane, RN, M. Ed.
Graduate Student: University of Hawaii at Manoa
Family Nurse Practitioner/Advanced Public Health Nurse Graduate Program
bjkane@hawaii.edu

From: [John Kimmell](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Saturday, October 26, 2013 12:45:04 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I never thought, in my life time, that I would see such a sweeping change in public attitude and government policy regarding LGBT issues. First, "Don't Ask Don't Tell" followed by gay men and women serving openly in our nation's military. Then, in June of this year, came the big 1 - 2, the U.S. Supreme Court's rulings on DOMA and California's Proposition 8. These rulings prompted changes in federal government policies, where more than 1000 benefits became available to same sex married couples that were previously enjoyed exclusively only by heterosexual married couples. The problem for us in Hawaii is that the federal government requires that you be legally married. Not in a domestic partnership, civil union or common law relationship, but legally married in the state in which you live and that state must allow and recognize same sex marriages.

I am a 70 year-old gay retired military officer in a 26 year same-sex relationship. My partner and I have been through the good times and the not so good times that all relationships, straight or gay, go through. We laugh; we cry and have our disagreements. We truly love each other and entered into a civil union last September. As could happen to any married couple, we are going through some of those more serious challenges that present themselves as we travel through life's journey together. A few years back I was diagnosed with Parkinson's disease and survived a heart attack. My partner has taken it upon himself to willingly see to my care and has been there by my side as my conditions worsen and as these diseases progress to their inevitable conclusion.

The Veterans Administration attributes these conditions to my exposure to the defoliant spray Agent Orange during my two combat tours in Vietnam where I served as a helicopter pilot. I am 100% disabled and fortunately receive medical care and a disability pension. Married couples in similar situations receive additional disability compensation and a life long survivor's pension when the veteran passes on. As you know, presently, under Hawaiian Law, we cannot marry. As a result, my partner and I are completely cut out of receiving any of these benefits. The same goes for Social Security and over 1000 other federal benefits that opposite sex couples enjoy that same sex couples do not unless they are really married. Is this equitable? NO, it is not!

Evaluate the irrational rhetoric; religious bias has no part in this issue no matter how loud they beat their drums. Please keep the church out of the debate. Remember the "tyranny of the majority" where "might does not make right". The issue is not what the Bible says but it is about civil rights as guaranteed under our Federal and Hawaii State Constitutions.

For those of you who favor the Relating to Equal Rights Bill as presented in the coming special legislative session, I urge you to hold your ground. Stay strong. Do not sway.

For those of you who are undecided or opposed to it, I urge you to reconsider your position and do the right thing. Stand up and be counted. What's fair is fair. What's right is right. Please, make your vote, YES for Equal Rights.

Thank you for this opportunity to testify.

Respectfully,
John A. Kimmell II
Queen Emma Street
Honolulu, HI 96813

John Kimmell
1200 Queen Emma Street
Honolulu, HI 96813

From: [Willy Shum](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Saturday, October 26, 2013 12:47:33 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am a same sex partner of 26 years to a Vietnam veteran, who is living with Agent Orange presumptive disabilities: Parkinson's Disease and ischemic heart disease, and combat-related disabilities: PTSD, back injuries among others. The every day care which I have been providing is no less than any other provided by straight spouses to their disabled love ones. It is vital for us to be protected as equal to straight surviving spouses. However, time is against us, and no one can tell what tomorrow will bring. Further time consumes in passing the Hawaii Marriage Equity Bill will in no doubt put our lives in the later years in question. Why deny the gay spouses over 1000 justified federal benefits already available to straight spouses? Did my partner not make the same life threatening sacrifices as his straight comrades?

President Obama had just made an executive decision on Sept 4, 2013 to dismantle federal barriers to same-sex marriages, announced that the Department of Veteran Affairs would immediately begin spousal benefits to gay men and lesbians despite a federal statute that limits such benefits to veterans' spouses who are of the opposite sexes.

Equality for all citizens is not a matter of majority rules, and civil rights are not matters that can be defined by religion. Marriage licenses are issued by the state not the church, which is precisely why America was founded on the separation of church and state. The bill as presented to you by the Governor has, to my belief, fairly protected the religious rights. This is a just bill which protects all concerns to the greatest degree possible. There will not be a perfect bill which offers 100% protection from future legal challenges. Thriving for that will only further delay the due process.

I urge you to follow our Commander-in-Chief's example in executing a speedy special session to legalize same-sex marriage. Stand up and be counted, vote for equality for all. Do the right thing. The time is NOW.

Thank you for this opportunity to testify.

Respectfully,
Willy Shum
Queen Emma Street
Honolulu, HI 96813

Willy Shum
1200 Queen Emma Street
Apt. 3101
Honolulu, HI 96813

October 23, 2013

To the Members of the Committee on Judiciary and Labor,

I am writing concerning the upcoming special session on the Hawaii Marriage Equality Act of 2013. My purpose is not to take a stand for or against homosexuality itself, but to express a deep concern regarding how religious freedoms will be impacted by this bill. While I understand the intent of this legislation draws from a common human goal of eliminating persecution, discrimination, and marginalization of all members of society, it does not make sufficient efforts to protect the rights of persons of faith to follow their own conscious without interference from, or the threat of litigation by, those who disagree.

While the current bill includes some weak protections for those who solemnize weddings, I believe this will do little to curb litigious attacks against freedom of religious expression. The law must allow any individual or business, public accommodation or not, to refuse to engage in any activity, including the provision of goods or services, if such activity may be reasonably construed as a display of support for events with which they do not agree. To not protect this fundamental right of expression will effectively compel compliance with a particular system of morality. This is not the role of government, and it may not even be the intent of those who drafted this bill. If the issue is to enhance tolerance for all people regardless of who they are, this cannot be resolved if the remedy effectively shifts attacks from one group to another. To do so will only intensify the fight and lead to further division. We cannot heal wounds or build bridges by redirecting harm.

Yet the experiences of other states tell us this will be the result if these protections are not strengthened. Examples are many, and here I provide three.

1. In Oregon, private business owners Aaron and Melissa Klein were forced to close their bakery in the face of threats of harm from supporters of same-sex marriage after they declined to provide a cake for a same-gendered wedding.¹
2. In New Mexico, Elane Photography was successfully sued for declining to photograph a solemnization ceremony between same-sex partners.²
3. In Iowa, legislation is pending regarding punitive action against a Mennonite couple, Betty and Richard Odgaard, for refusing to host a same-sex wedding at their art gallery.³

Although there are perhaps extremists on the fringe of the gay-rights movement (or any movement, for that matter) who intentionally seek to harm those with whom they disagree, I believe that most

¹ See n.a. "Sweet Cakes By Melissa, Oregon Bakery That Denied Gay Couple A Wedding Cake, Closes Shop," *The Huffington Post*, Sep. 2, 2013 or Billy Hallowell, "'Bible-Thumping...B**ch': Bakers Who Refused to Make Gay Couple's Wedding Cake Shut Down Their Shop Following Threats, Anger," *The Blaze*, Sep. 2, 2013

² See Martha C. White, "Wedding companies that shun gays feel impact, for better or worse," *NBC News*, Oct. 14, 2013 or Doug Mataconis, "Court Holds That Wedding Photographer Cannot Refuse Service To Gay Couples," *Outside the Beltway*, Aug. 23, 2013.

³ See Cheryl Chumley, "Mennonites Countersue Gay Couple for Right to Delay Wedding," *The Washington Times*, Oct. 14, 2013 or n.a. "Mennonite couple files counter-lawsuit in fear of being forced to host same-sex weddings," *Fox News*, Oct. 14, 2013

reasonable people on all sides would be disturbed to see the damage to the livelihood of those exercising their right to free expression as a result of legislation which is claimed to reduce discrimination. Now, the laws in some of these states actually include stronger protections for religious expression than Hawaii's proposed bill, yet even these protections have proven insufficient.

In these and many other examples, those under attack are not discriminating by refusing service based on a person's sexual orientation, but rather are declining to take an active supporting role in events with which they disagree. Discrimination against any *person* is wrong. However, declining to participate in *activities and events* that one finds morally objectionable is not discrimination, it is protecting one's own freedom of expression. It's a subtle, but critical, distinction. We must not provide a legal club to supporters of any moral philosophy that can be used to beat persons they disagree with into submission. The moral issues are important, but should be decided through individual expression and private debate, not through legal actions that side with particular belief systems.

Certainly, discrimination of any form is damaging to society, but so is forcibly compelled morality. Yet these goals need not be in conflict. Coexistence and non-discrimination necessarily entails mutual toleration. Morality cannot – it must not – be dictated or imposed by governments, churches, lawyers, judges, or anyone else. People must have the freedom to believe according to their own conscience, to follow their own faith, and to choose their own actions. This fundamental human right must be actively protected. The present bill does not.

Now, it has come to my attention that letters similar to this one have been dismissed because they do not provide wording to be included in the bill. To avoid similar dismissal I would propose the following changes to the current bill, or their equivalent.

- §572-G: Remove “provided that:” from line 5, and delete all lines 6 through 12 and lines 18 – 21.
- Add paragraph §572-H under Section 2 to read: “Protections for the freedom of religious expression: Pursuant to Amendment I of the United States Constitution forbidding any law which prohibits the free exercise of religion, nothing in this chapter shall be construed to require any private individual or business to engage in an activity, including the provision of goods or services, if such activity may reasonably be construed as an expression of support of same-gender marriage contrary to personal religious beliefs.”

It would then be acceptable to me to leave the interpretation of “expression of support” up to individuals and those who represent them in the courts.

I thank you for your consideration of this vital issue concerning fundamental human rights and freedoms. I urge you to take steps to ensure that the Great State of Hawaii avoids the erosion of religious freedoms that is spreading in other states.

With Much Concern,

Stephen Moody
sjmoody@hawaii.edu

From: [Vince Krog](#)
To: [JDLTestimony-InPerson](#)
Subject: SB 1
Date: Friday, October 25, 2013 9:45:50 PM

I would like to testify in person, but do not know if I will be notified. I'll be at the hearing but expect that testimony will run long and would appreciate knowing when I can expect to speak.

DATE: Monday, October 28, 2013
TIME: 10:30 a.m.
PLACE: Auditorium
State Capitol
415 South Beretania Street

I do not know what "committee" this is to be submitted to. There is no way of knowing that from your publication found at :
<http://www.capitol.hawaii.gov/splsession2013b/Hearing%20JDL%2010-28-13.pdf>

My testimony:

I propose something not overly popular for either side. A compromise.
Strip "Marriage" of all economic benefits.
Leave "Marriage" defined as it has been for centuries.
Transfer all economic benefits to a civil union. Married couples wanting the benefits can also go file for a union.

Much as it was known that Civil Unions would lead to Gay Marriage, it is also known that Gay Marriage will result in forcing churches to perform marriages they disagree with or close their doors. It is occasionally the stance that couples must go through training to be married by a church, and organizations this careful will be forced to perform marriages for unknown gay couples or face discrimination accusations.

Do not force churches to perform marriages "under God" when you are not honoring their beliefs in God. That is under "state". Let them continue to perform weddings for marriages as they have always been defined.

Thank you
Vince Krog

From: [Nolan Yogi](#)
To: [JDLTestimony-InPerson](#)
Subject: Oral Testimony on Senate Bill No. 1 Re: Same Sex Marriage
Date: Saturday, October 26, 2013 7:29:48 PM

I would like to present oral testimony in regard to the above described Bill on October 28, 2013 at any time selected by your Committee.

Nolan K. Yogi
92-1034 Makakilo Drive, No. 26
Kapolei, Hawaii 96707

Sent from Windows Mail

From: [Sumner La Croix](#)
To: [JDLTestimony-InPerson](#)
Subject: Impact of Marriage Equality on Hawaii's Economy--SB1
Date: Saturday, October 26, 2013 10:13:56 PM

To: Senate Committee on Judiciary and Labor

Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.

From: Sumner La Croix

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

My testimony covers the impact of marriage equality on Hawai'i's economy over the 2014-2016 period. I am a Professor with the Dept. of Economics, UH-Mānoa, and a Research Fellow with the University of Hawaii Economic Research Organization, UH-Mānoa. In February 2013, I prepared a report (with

- The number of Hawai'i same-sex couples likely to marry over the 2014-2016 period;
- Additional tourism and wedding industry spending triggered by weddings and marriage celebrations of Hawai'i and US couples and honeymoons of US couples;
- The number of same-sex spouses who would elect to be covered as a spousal beneficiary on their spouse's employer-provided health insurance.

We updated our report in July 2013 to reflect the two US Supreme Court rulings in the California Proposition 8 case and the DOMA case. Our conclusion is that the two decisions open the door to big flows of new spending in the Hawai'i tourism and wedding industries over the 2014-2016 period if Hawai'i were to enact marriage equality. We expect that marriage equality in Hawai'i would bring US same-sex couples, guests of US same-sex couples, and guests of Hawai'i same-sex couples to Hawai'i to marry, celebrate a marriage or honeymoon. More specific conclusions follow.

- The U.S. Supreme Court's decision allowing same-sex marriage to resume in California is particularly important for Hawai'i's tourism industry, as the addition of California increases the proportion of Hawai'i's visitors from states with marriage equality from 18 percent to 54 percent. We estimate \$167 million in additional spending over the 2014-2016 period by same-sex couples from states with marriage equality (and their guests) visiting Hawai'i to marry, celebrate their marriage or honeymoon.
- The U.S. Supreme Court's ruling in the DOMA case has opened the door to a limited set of federal rights for all same-sex couples regardless of whether the couple lives in a state with marriage equality. Same-sex couples from states without marriage equality can travel to another state with marriage equality to marry and thereby gain access to the limited set of federal rights. Some of these couples would choose to marry and/or honeymoon in Hawai'i if Hawaii enacted marriage equality. Including spending from marriages and honeymoons of same-sex couples from states without marriage equality increases total additional spending to \$217 million over the 2014-2016 period.
- We estimate that marriage equality in Hawai'i will likely increase State of Hawai'i and City and County of Honolulu general excise tax revenues by \$10.2 million over the 2014-2016 period. State income tax revenues would also increase, but we have not estimated their exact magnitude.
- Without access to same-sex marriage in Hawai'i, many local same-sex couples have already chosen to gain access to federal marriage rights by traveling to the U.S. mainland to marry. The absence of marriage equality in Hawai'i raises wedding costs for Hawai'i's same-sex couples, harms the Hawai'i wedding industry, and diverts spending by wedding guests from Hawai'i hotels, restaurants, retail, etc. to their counterparts in the mainland United States.

- Marriage equality in Hawai'i should produce substantial federal tax savings for married same-sex Hawai'i couples with a spouse as a beneficiary on the other spouse's employer-paid health insurance. Marriage equality would also allow married Hawai'i same-sex couples to become eligible to draw spousal benefits from a number of federal programs, including social security.

The full report, "The Impact of Marriage Equality on Hawai'i's Economy and Government: An Update After the U.S. Supreme Court's Same-Sex Marriage Decisions," can be downloaded at <http://www.uhero.Hawai'i.edu/assets/LaCroix.Gabriel.MEUpdate.FINAL.pdf>.

Sumner La Croix
2333 Kapiolani Blvd. #3010
Honolulu, HI 96826

Submitted Testimony

Date: 25 October, 2013

To: Committee on Judiciary and Labor

Measure: SB 1 – Relating to equal rights

Hearing: Monday, October 28, 2013 at 10:30am

From: Mark Wolfersberger
Hauula, Hawaii

I OPPOSE bill SB1 – Relating to Equal Rights for the following reasons:

First, gay marriage is a serious issue that has the potential to redefine the fabric of our society. Thus, it deserves serious thought and input from all areas of our society here in Hawaii. By calling a special session, the governor is attempting to bypass the serious debate that this issue deserves. Let's not legislate by edict from the governor. Rather, let's legislate from the will of the people.

Second, because of the gravity of this issue, it should be decided by the people. In 1998, the people of Hawaii demonstrated their desire to carefully consider this issue by passing Constitutional Amendment 2. This amendment paved the way for the issue of same-sex marriage to be debated and decided by the legislature, and by extension, the people of Hawaii rather than the courts of Hawaii (e.g. *Baehr v. Lewin*, 1993). The governor's hasty introduction of Bill SB1 – Relating to Equal Rights and the special session that he has called is an affront to Hawaii voters and the trust that the voters demonstrated in the Hawaii State Legislature by passing Constitutional Amendment 2. Again, let's not legislate by edict from the governor.

Third, as clearly stated in the bill's introduction, Bill SB1 was introduced as a bandwagon reaction to the recent U.S. Supreme Court decision that declared portions of the federal *Defense of Marriage Act* unconstitutional. This court decision has relevance in states that have already passed laws for gay marriage: it is not relevant in states that have not passed such laws. Until the legislature and people of Hawaii debate this issue and make a decision, the U.S. Supreme Court decision has no impact on Hawaii. Let's not allow distant federal courts to impact serious local decisions in our state. Again, let's allow the people of Hawaii to have a proper debate of the issues and make a determination.

Finally, I have heard a number of people referring to the gay marriage as a civil rights issue similar to slavery and women's suffrage. I hope none of our legislators believe in these misguided comparisons. During slavery, African-Americans were bought and sold as a man's property. This was an issue of human trafficking and is morally

reprehensible. Gay marriage is not an issue of gays being bought and sold as another man's property. Women's suffrage was an issue of fair representation in government. Gays have not been denied the right to vote. In stark contrast to slavery and women's suffrage, the issue of gay marriage is a question of redefining families, which are the most basic unit of our society. This potential redefinition could have a far-reaching impact that goes well beyond the federal financial benefits that the bill's introduction uses as a rationale.

In conclusion, this issue deserves serious consideration by the state legislature and people. Please vote "NO" and give our state the time that it needs on this issue.

Submission to
COMMITTEE ON JUDICIARY AND LABOR
Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

Re: SB1
RELATING TO EQUAL RIGHTS
Recognizes marriages between individuals of the same sex.
Extends to same-sex couples the same rights, benefits,
protections, and responsibilities of marriage that opposite-sex
couples receive.

Pending Introduction and Referral to JDL

DATE: **Monday, October 28, 2013**
TIME: **10:30 a.m.**
PLACE: Auditorium
State Capitol
415 South Beretania Street

Request to submit in person has been made.

Effect of Same Sex Marriage on the Education System in Ontario, Canada

Submitted by:

Phil Lees, Educator, Ontario, Canada

At the request of Representative Gene Ward

Contents

Introductory Letter p. 3

Executive Summary p. 4 - 6

Detailed submission..... p. 7 - 18

Re: SB1 RELATING TO EQUAL RIGHTS

Recognizes marriages between individuals of the same sex. extends to same-sex couples the same rights, benefits, protections, and responsibilities of marriage that opposite-sex couples receive.

Dear Senator Clayton Hee, Senator Maile S. L. Shimbukuro, and elected members of the State of Hawaii;

As you consider this important legislation, I want to thank you for the opportunity to share the effects same sex marriage has had on the education system in Ontario.

In 2005 Canada approved same sex marriage and as an educator I experienced the change that took place in our education system. As an educator (teacher, consultant, teacher certification instructor, and consultant/curriculum and policy writer for the Ministry of Education) I experienced the change. In 2009 I left education to assist faith families who have children in the public school system where the school environment has become increasingly challenging and at times hostile to people of faith. I attempt to work with schools, school boards, and churches to build understanding within school boards of the needs of the faith community who send their child to the public education system.

At the request of Representative Gene Ward, and pastors from the state of Hawaii, I have been touring the entire state sharing how the families, with children in the education systems in Ontario, Canada, have been impacted since the passage of same sex marriage in Canada.

It has been a privilege to speak with more than 3000 attendees (so far) at the meetings, share on radio and tv programs, present at the legislature information hearing and meet with numerous Representatives of the House and Senate. I have been asked by the attendees/citizens of this fine state, particularly the citizens on the out islands of Molokai, Kauai, Maui, who do not have the resources to get to the office in the state house, to share with you their concerns;

- this legislation will change thousands of years of indigenous culture
- the special session does not allow for enough time for citizens to be involved in the process, and they find that to be undemocratic

What I share, colleagues in other jurisdictions (Britain, Australia, Tazmania, and various US states) confirm experiencing a similar a pattern of effect in their state, province, or country.

Pages 6 – 18 are a summary of images, along with some explanatory note, from the power point that I have shared. For the purposes of the hearing I have limited the content to the ‘effect on the system’. While touring the beautiful islands of Hawaii, many have shared that much of this is now present in your schools.

In addition to the more detailed report please find an executive summary, pages 3 - 5.

Thank you for the privilege to share. It is my hope that the legislators will be able to find a way to meet the needs of the LGBT community, the faith community, and the rest of the citizens of Hawaii.

Sincerely,

Phil Lees

Executive Summary

Effect of Same Sex Marriage on the Education System in Ontario, Canada

Sensitive curriculum in schools is not new. Just as in Hawaii, before same sex marriage, Ontario had some, limited, sensitive curriculum: some novels, comprehensive sex ed programs. However, most of the sensitive materials were supplementary materials and the school worked with the parents, informing and accommodating families.

The approval of same sex marriage in Canada was the tipping point for curriculum change.



All schools must now:

- offer Gay Straight Alliance Clubs (middle and secondary),
- integrate into all subjects and grade levels affirmative LGBT lifestyle messaging and activities
- School facilities are only to be rented to organizations that operate within the provincial code of conduct (state sanctioned code written by the Ontario Human Rights Commission).

As a result of SSM, school districts have ruled parents do **not have the right to know about sensitive curriculum** taught in the classrooms, even if it conflicts with their family and faith values.

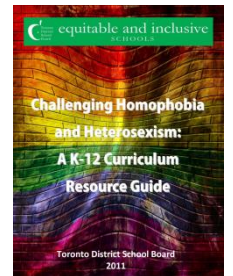
A striking example of this is Mr. & Mrs. Toruloukis, parents of children in kindergarten and grade 2, who requested advanced notice when planned curriculum (lessons, assemblies, planned activities) involving their children, dealt with content his faith teaches to abstain from (e.g., moral relativism, occultic principles and practices, instruction on sex education, instruction affirming alternative sexual lifestyles). To this request the school told them they will not inform him. The school system is working to create an inclusive environment, and to accommodate his request would be an endorsement of discrimination.



S. Tourloukis – must challenge school decision in court.

“The response from the Hamilton school board to Mr. Toruloukis’s request was he does not have the right to know about such sensitive curriculum. With this statement, the school board is saying to the family, *“The reason parents have children is to provide raw materials for the government systems to mould and shape into politically correct products, based upon the embraced norms and values that the public institution deems appropriate, and convenient, at the time.”* Phil Lees, Open Letter

A teacher resource document entitled, Challenging Homophobia and Heterosexism- A K – 12 Curriculum Resource Guide, has 12 sample lessons at each level **modelling for teachers how to integrate positive LGBT (Lesbian Gay Bisexual and Transgender) messages throughout the K- Gr. 12 curriculum.**

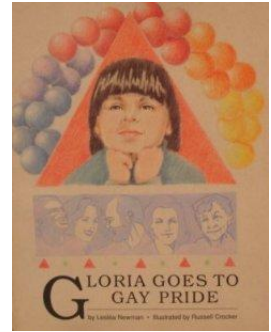


In the FAQ section (p. 9 & 10) - Teachers are told not to inform families of sensitive curriculum – e.g. same sex instruction. It further tells teachers, parents are not allowed to remove their children from such sessions. In addition teachers are told that their freedom of conscience and religion will not be honored. They must implement the program, even if it is in conflict with your faith/conscience.

Since Same Sex Marriage Approval – sample lessons

1) Any Primary Grade

- Teacher reads a book such as “Gloria Goes to Gay Pride”
- Teacher discusses different kinds of love and families.
- Magazines with pictures of gay and lesbian couples are provided
- Children make a collage of pictures of different kinds of love and families (men passionately kissing men and women passionately kissing women)
- Collages are used to decorate class during Gay Pride Week and transgender day.



2) Gr. 2 Unit – Both/And

Students are taught that their gender has more to do with clothes you wear, and activities in which you participate

In a Toronto Sun news article entitled, ‘Warmington: Serious Gender Bender,’ dated October 16, 2013, writer Joe Warmington began his article with: “There are no rules for being a boy or a girl” — slogan on a TDSB poster. So now the Toronto District School Board is telling kids they don’t have to be boys or girls?”

read the full article at:

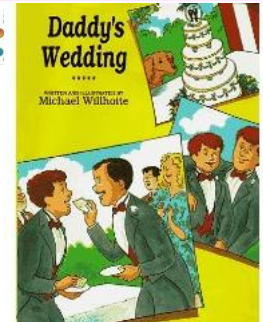
<http://www.torontosun.com/2012/09/24/warmington-serious-genderbender>

There are No Rules for being a Boy or a Girl



3) Gr. 3 Mock SSM Ceremony

The teacher reads a story like “Daddy’s Wedding, or the King & King” and talks about marriage can be between two people of the same sex. Some classrooms then participate in a mock same sex mass wedding ceremony, and then celebrate with cake and ice cream.



4) Anal and Oral Sex

7th and 8th grade sex ed curriculum includes information about conception and heterosexual activity (anal and oral sex). Education officials have stated, “To not discriminate against LGBT, the new curriculum includes references to homosexual sex.”

Education After Same Sex Marriage...

- Sexual lifestyle messaging integrated into all subjects, all grade levels
- GSA Clubs mandatory (high schools and middle schools)
- Faith Clubs are often not allowed – because their values discriminate against GSA
- Parental requests to be informed about sensitive curriculum - not respected
- Diplomatic disagreement in classrooms (student and teacher) even when supported with medical evidence, is considered homophobia
- Teachers are told there are no religious accommodations for them on the job
- Students are allowed to use the washroom, change room, and shower facilities that are consistent with their gender, not their anatomical sex

Conclusion

The people of Ontario are feeling the effects of 'Reverse Discrimination', which is allowed under EQUITY programs. The greatest concern is that equity trumps our other constitutional rights.

Section 2 of the Canadian Charter of Rights and Freedoms lists the following as fundamental freedoms:

1. freedom of conscience and religion;
2. freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
3. freedom of peaceful assembly; and
4. freedom of association.

Since same sex marriage each of these freedoms has been severely limited in schools:

Freedom of Conscience and religion – teachers and students must participate in, and be offended by programs that are not consistent with their conscience and religion.

Freedom of thought, belief, opinion and expression – some jurisdictions are telling students and staff are told even diplomatic communication of opinion, belief, and thought, even when backed with evidence is not allowed.

Freedom of peaceful assembly and association – students are not allowed to have faith clubs, or meet at the flag pole to pray. Citizens who are part of a faith group are discouraged from renting school facilities.

To avoid such losses of freedom in Hawaii, I am recommending, and the citizens of Hawaii are asking that elected representatives slow this process down, do a study of the long term effects (positive and negative) of same sex marriage, including input from all stakeholders. Then, legislatively ensure protections for all citizens.

Respectfully submitted

Phil Lees

PO Box 306

Binbrook, On

L0R 1P0

What happened to the education system as a result of SSM? Before / After

1980's - 2004 Before Same Sex Marriage

BEFORE SSM Sensitive Curriculum ... 1980's

Offensive Books

- *Of Mice and Men.*
- *Go Ask Alice.*
- *Lord of the Flies*
- *Bridge to Terabithia*
- *To Kill a Mockingbird*
- *The Catcher in the Rye*
- *Harry Potter Series*
- *The Color Purple*

Reasons

- Profanity
- Profanity, drug use, sexual situations
- Profanity, sexuality, racial violence
- Profanity, Disrespect children show to adults
- Profanity, racial slurs
- Profanity, prostitution, depression
- Use of witchcraft, fear that fantasy and reality could become confused for children, violence
- Explicit sexuality, profanity, violence, use of drugs.

Is Nothing New ...
...Schools Accommodated

1980's – Some Offensive Novels Sensitive curriculum is not new. In the 1980's there were some novels that some parents found offensive. When parents or the student expressed concern, they were accommodated with an alternative novel.

BEFORE SSM Sensitive Curriculum ... 1990's

1990's Comprehensive...



Background Thinking
Kids are going to be sexually active so we better teach them how to do it safely.

- Contraceptives
- Homosexuality
- Anal / oral sex

NOTE

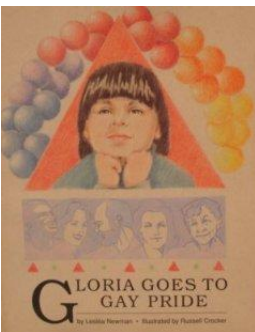
- **SUPPLEMENTARY, NOT approved curriculum**
- When parents expressed concern ...
 - schools have authority to go beyond gov't curriculum
 - schools will accommodate families

1990's Comprehensive Sex Education

Not required curriculum, but teacher unions, teacher training through the training facilities recommended additional curriculum. The background thinking was, children *are going to be sexually active so we better teach them how to do it safely. At this time, teachers who felt this additional information should be added to the curriculum would provide information about*

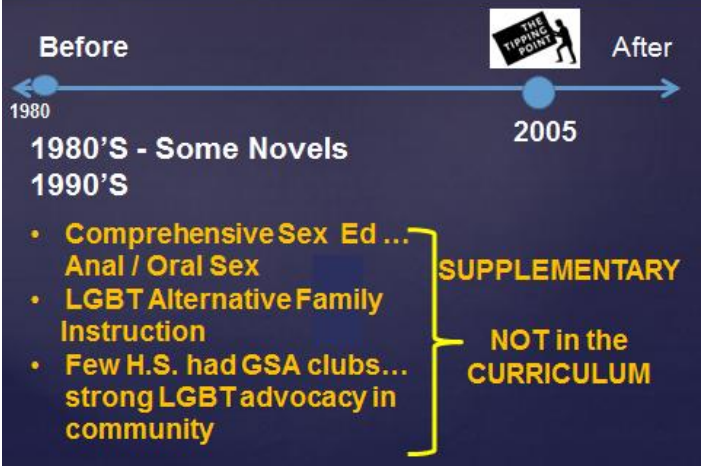

- Contraceptives
- Homosexuality, Anal / oral sex

Parents were accommodated and just like in Hi, schools were required to send a letter home informing families of sensitive curriculum.

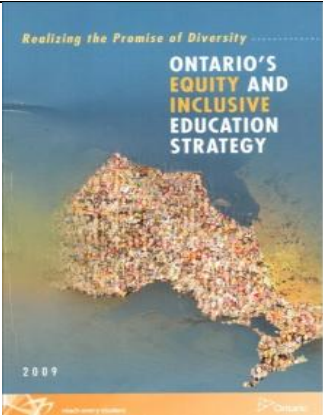


2000 – Affirmative LGBT story books integrated into the classroom

Again this was supplementary material that teachers would bring into the classroom. Primary grade teachers were exposed to this type of material through a training video titled, "Its Elementary". Such books were considered sensitive by many faith families because it presents concepts to their children that conflicts with the teaching of the home. Parents who asked to be informed about such instruction were accommodated and informed so that parents could talk to their children about how this information applies to them as a child of faith being raised in a secular, multi-worldview society. Parents were respected and

	accommodated.
<p>Sensitive Curriculum - BEFORE SSM</p>  <p>Timeline diagram showing 'Before' (1980) and 'After' (2005) with a 'THE TIPPING POINT' icon. The 'Before' period (1980's-1990's) lists: Comprehensive Sex Ed ... Anal / Oral Sex, LGBT Alternative Family Instruction, and Few H.S. had GSA clubs... strong LGBT advocacy in community. A bracket groups these as 'SUPPLEMENTARY' and 'NOT in the CURRICULUM'.</p>	<p>Sensitive issues in schools prior to SSM was limited to some novels and supplementary curriculum brought into the classrooms if the teacher thought it was a good idea. Very little was mandated in curriculum.</p> <p>Parents who asked to be informed and accommodated, their wishes were respectfully addressed.</p> <p>Just like Hi, The Ministry of Education had a policy requiring families to be informed before sexual health curriculum was being covered since this is sensitive curriculum.</p>
<p>2005 – Canadian Courts Affirm Same Sex Marriage</p> 	
<p>2006 – 2008 – School Boards were mandated to implement sexual orientation policies</p>	<p>Sexual Orientation Policies were designed to “ensure that all policies, guidelines, procedures and practices including but not limited to classroom practices, day-to-day operations and communication practices, are anti-homophobic and anti-heterosexist.” (See sample school board sexual orientation policy at http://www.hwdsb.on.ca/wp-content/uploads/2012/05/Sexual-Orientation-Directive.pdf)</p> <p>These policies led curriculum considerations including integration of affirmative sexual alternative lifestyle messaging.</p> <p>This became a very controversial stage as the more urban school boards would bring in experts on the issue. The approach taken by the academic experts was often more of “imposing change” rather than desiring to work together with others in the community to develop a co-operative plan to recognize the needs of this group and build an environment that within the community.</p>
<p>2009 - Bill 157 Safety In Schools Act</p>	<p>Requires schools and school boards to build positive relations with the LGBT community. This is only a concern when special interest groups are using this</p>

as an opportunity to influence inside the school. And this has happened in some schools.
 Principal's responsibilities – New requirements include principals must report to parents when a child has been seriously bullied, unless, in the principal's assessment doing so would not be positive. The terminology used during teacher seminars is, "if the principal is concerned the parent may not honor the feelings of the child". Then the principal is to send the child to positive homosexual counselling without informing the parent.
 See video link
http://bill157.apandrose.com/en_CA/principals/

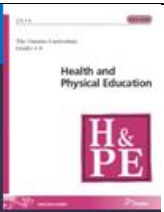


2009 – Equity and Inclusive Education Strategy
 This document is a terms of reference document for revising all curriculum to make it more inclusive.

 There have been many concerns with the document, the most significant being the document has specific examples of how we will accommodate and respect the LGBT community, but explanation about accommodating other more traditional communities is lacking.

After SSM- Revise Curriculum

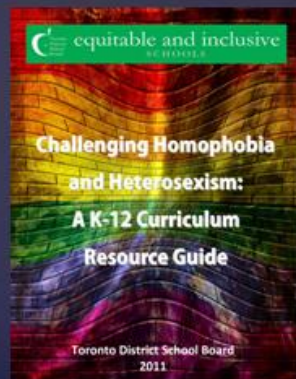
- Grade 1: Students identify genitalia of male and female
- Grade 2/3: sexual orientation and gender identity
- Grade 4: puberty and its physical and social changes
- Grade 6: personal pleasure, masturbation, vaginal lubrication and wet dreams
- Grade 7: sex acts such as oral sex and anal intercourse



2010 – Health Curriculum
 Sexual health units were of concern to traditional parents. So much so that the curriculum was pulled just before an election.

 The controversial components that were supplementary information became mandated. New premier has promised to ramp it up and further ramp up implementation of LGBT integrated curriculum

After SSM – Revising Curriculum



- Teacher Resource document
- Free!! Available via internet and inclusive education wksp
- 12 sample lessons at each level
- how to integrate LGBT messaging into all subjects K– 12.

FAQ (p. 10) Teachers **not** to inform families of sensitive lessons

This teacher resource document has 12 samples activities at each learning level to guide teachers on how to integrate LGBT messaging at each learning level.

Although produced by the TDSB, it is the exemplar referenced by the Min. of Ed., teacher unions, and LGBT presenters instructing as part of inclusive education seminars.

Freely downloadable on the internet

Page 10 Frequently Asked Questions

“Should schools send notes or permission slips home before starting any classroom work on LGBT Issues?”

Answer - No

Can a parent Have their child accommodated Out ...?

Answer – No

Can teachers seek accommodation from teaching materials that may contradict their religious beliefs?

Answer – No.

After SSM

BILL 13 - What is the Intent?

“The [Liberal government’s] goal of this Bill is to change attitudes and behaviours, and change them for good”.

2nd Reading Speech, Dec. 7th, 2011



Hon. Laurel Broten
Minister of Education

...And once we fix the secular public and Catholic schools, private schools are next.....

Barbara Hall, Ontario Human Rights Commission

Re Home Schooling – Alberta legislation to prevent home school from integrating faith in daily instruction. Legislation died because an election was called.

Bill 13 Accepting Schools Act passes in the Ontario Provincial Legislature.

During her second reading speech, Minister of Education Laurel Broten, made it very clear, the reason for bullying of gays in our schools was because of the norm and values of society, and “the goal of his Bill is to change attitudes and behaviours and change them for good.

Barbara Hall, Ontario Human Rights Commissioner also stated, once public and Catholic schools are fixed private schools will be next.

At the same time, the Alberta government was pushing through legislation to limit homeschoolers from using materials that refer to their faith during instruction time – bill died on the floor because and election was called.

After SSM

Accepting Schools Act – Strategies to Change Values

- 1) GSA Student Club Activities
- 2) Sexual-Lifestyle curriculum (K – Gr 12)
- 3) School rental agreements -
Churches, renting school space, must operate on principles dictated by the Human Rights Commission – provincial code of conduct.



To change the traditional norms and values of society, the A.S. Act is structured with 3 strategies targeting this goal.

- 1) Student Club Activities – which affirm the sexual lifestyle direction
- 2) Sexual-Lifestyle curriculum (K – Gr 12) – which integrates into each subject positive LGBT messages.
- 3) Rental agreements limited to entities that abide by the provincial code of conduct – ie. churches will park their faith/values at the door.

After SSM-GSA Clubs

Club based on sexual activity preference

(Lesbian, gay bi-sexual, transgendered, two-spirited, intersexed, queer, questioning)

- leadership role in educating students about discrimination
- mentored by supportive staff and LGBT community leaders
 - organize school assemblies, bring in speakers.

View Youtube video of LGBT leader and GSA club promoter, Dan Savage, speaking at a high school assembly – IN THE UNITED STATES.

GSA Clubs mandated in every school.

Bill 13 states,
Every board shall support pupils who want to establish and lead activities and organizations ...
(d) activities or organizations that promote the awareness and understanding of, and respect for, people of all sexual orientations and gender identities, including organizations with the name gay-straight alliance or another name.

Will GSA Clubs be used to undermine the values of traditional-minded students?

Well, I guess we should examine how they are, or could be used.

First of all, let's look at the leading US LGBT activist, Dan Savage, a high school GSA club promoter, and the founder of the "It Get's Better Project" is seen here speaking to an assembly of high school students

See

www.youtube.com/watch?v=ao0k9gDsOvs

After SSM- Student Clubs

Concerns

Same message in Canada ...

Evidence



Dan Savage.- U.S. LGBT Activist – Bible is No Longer Relevant



Laura Wolfson, LGBT activist, spoke at a GSA Sponsored Assembly for all students at Parkside Highschool – Same Strategy as Savage- Bible is no longer relevant!

The same approach taken by Savage, was reported to be employed by a speaker, Laura Wolfson at Parkside High School.

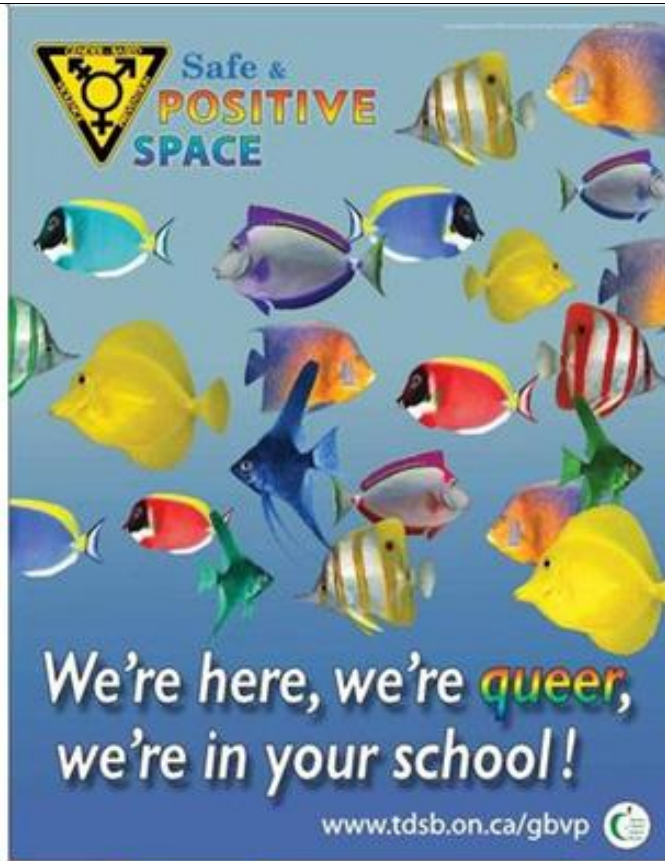
See article

<http://www.lifesitenews.com/news/ontario-school-hosts-school-wide-gsa-assembly-gay-speaker-re-interprets-bib/>

The incident, as reported in Lifesite News, was not denied by the local school board, was similar in approach to the Savage presentation, where the speaker used a negative interpretation of Old testament Scripture to claim that scripture is no longer relevant, and undermines the values of traditional-minded Christians to defend the position of homosexuals, bisexuals, and other alternative sexual lifestyles.

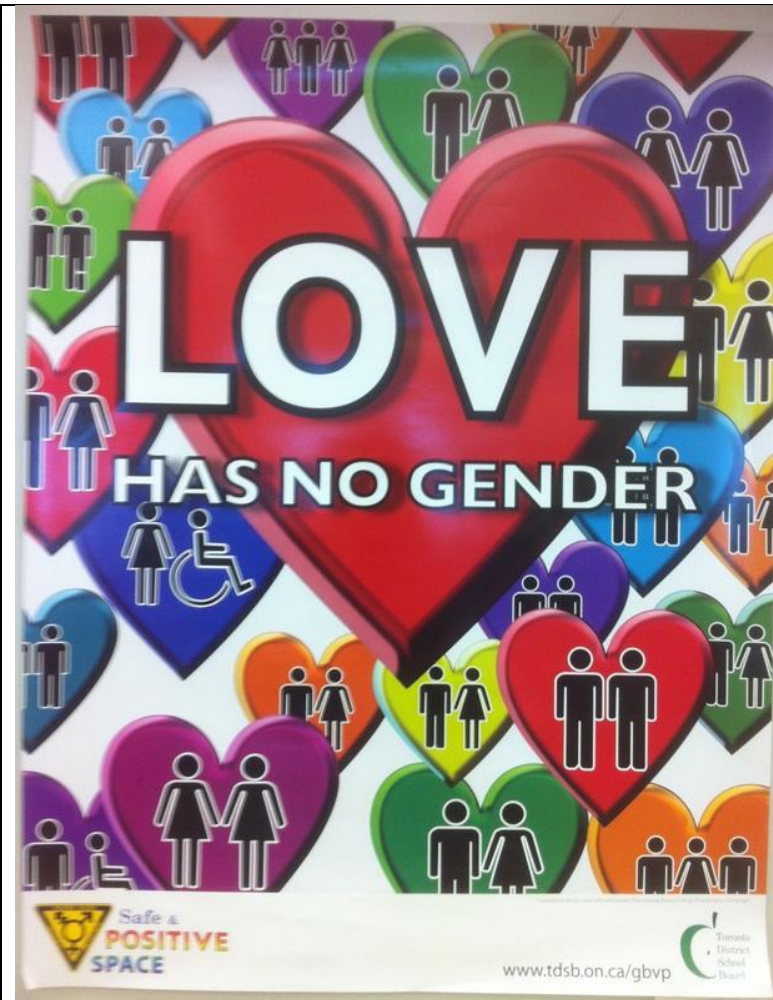
Students in school have also reported:

- Over promotion ... GSA club is announced every day on the announcements, and posters in every corner in halls, rainbow door hangers on many classroom doors, etc.
- GSA club members sell promotional materials (rainbow bracelets at lunch) when a student does not purchase they have been called 'homophobe'



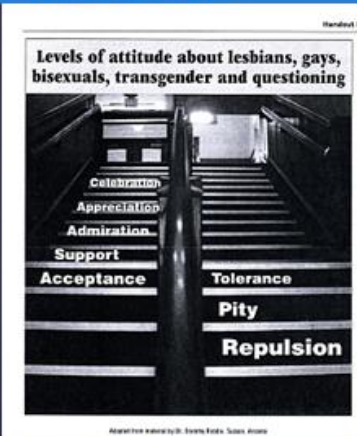
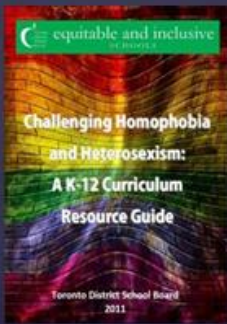
Sample posters in schools

Sample posters in schools



After SSM – Sexualized Curric.

Banks Continuum



- progressive attitude conditioning activities

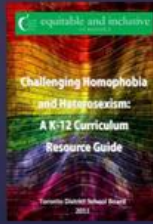
The instruction in the document is based upon the Banks Continuum. Which proposes that teachers will transform children’s values through properly planned and orchestrated attitude conditioning activities.

A poster from the 2009 BC Teachers Federation Conference clearly demonstrates the goal, to change children’s attitudes from merely tolerating and accepting people who are different to getting them to support, admire, appreciate, and celebrate those values.

I would like to share with you a series of activities that demonstrate a progression of attitude conditioning.

After SSM – Sexualized Curric.

Community units	primary students will learn about alternative families
Music Class	new songs about alternative families, Gay Pride Parades, etc
Drama class	Students portray LGBT issues
Math	family problems
Literature	novels include homosexual focus
Text books	must contain disproportionate representation of LGBT to be approved for use
Queer Hero strategy	acknowledging the S.O. of successful academics, heroes in classes
Transgender Days Pride week/parades	



People often ask, how can this be integrated into all subjects, every grade level?

Community units... primary students will learn about alternative families

Music Class ...new songs about alternative families, attending Gay Pride Parades, etc

Pride week/parades in schools

Drama class assignments portraying LGBT issues

Math class problems will include alternative family situations

Queer Hero strategy – Ministry of Ed term meaning the sexual orientation of successful academics and heroes will be revealed if they are other than heterosexual.

Literature – novels to include homosexual focus

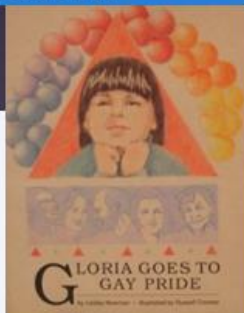
After SSM – Sexualized Curric.

Gr. 1

Read - Story to the Class

Discussion – about different kinds of love and families

Assignment – demonstrate your understanding by making a collage



Sample Lesson

Grades 1, 2, 3 teachers are recommended to read a book such as “Gloria Goes to Gay Pride”. Then the teacher engages the children in a discussion about different kinds of love and families.

To demonstrate their learning students are to cut make a collage by cutting out pictures from magazines about different kinds of love, different families, and Gay Pride Parades (children are told Gay Pride is a celebration of different kinds of families).

Collages can be used to decorate the class for pride week, where classes will be judged on transgender day.

After SSM – Sexualized Curric.

Unit – Both / And ... Boy ? Girl ? – You Decide

Gender has more to do with ...

- clothes you wear
- music you listen to
- activities you like to do.

Gender is not permanent but fluid...
.....It changes throughout life

Cross-dressing centre

- Students dress and live as a different gender
- Talk, draw and write about it



UNIT – BOTH / AND

Children are introduced to Gender Fluidity. Read a book about a person who likes to try different clothes and activities.

In this unit children learn Gender has more to do with your interests, the clothes you wear, the activities you like to do.

Your gender is not permanent and you may change your gender as you progress through life.

Students are exposed to a Cross-dressing centre where

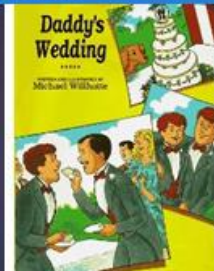
- Students encouraged to dress and live as a person of a different gender
- Boys pretend to be a girl
- Girls pretend to be a boy

And then share how they feel.

After SSM – Sexualized Curric.

Gr. 3 Unit: Community and Families

2 moms 2 dads 1 mom+1 dad
1 mom 2 dads, etc.



Same-Sex Wedding Ceremony

- Students choose the same sex classmate to marry
- Person dressed as clergy performs ceremony
- Celebrate with cake and ice cream

Grade 3 Teacher reads Daddy's Wedding, We have a discussion about different kinds of family structures (multiple dads, moms, etc.).

Wouldn't it be great to marry a best friend. If you could do that who would you marry. Find someone of the same sex you would like to marry, ask them.

A person dressed as clergy, officiates the mass SSM ceremony, and students celebrate with cake and ice cream.

After SSM – Sexualized Curric.

Intended to Change our Children's Values?

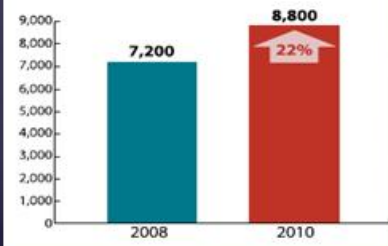


This poster was found on the bulletin board in a grade 7 classroom. When found school board and some parents defended the teacher, stating it has safe sex information.

Health Caution

CDC: Increase in New HIV Infections

Figure 3: Estimated New HIV Infections among MSM Aged 13-24, 2008-2010

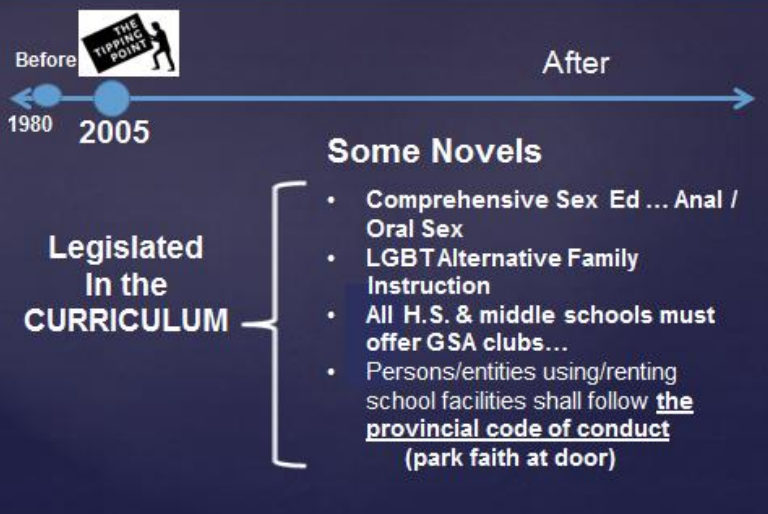


CDC
 "new infections among young MSM (aged 13-24) increased 22 percent from in 2010."
<http://www.cdc.gov/nchhstp/newsroom/docs/2012/2/HIV-infections-2007-2010.pdf>

Our public health department agrees that as we expose students, it does lead to increased sexual activity. The school is not advocating for children to have sex, but we found that as you expose it does lead to increased activity.

My concern is that Centre for disease control stats show "new infections among young MSM (aged 13-24) increased 22 percent."
<http://www.cdc.gov/nchhstp/newsroom/docs/2012/HIV-Infections-2007-2010.pdf>.

Sensitive Curriculum - BEFORE SSM



With the passage of same sex marriage has led to the following:

Direct Effects

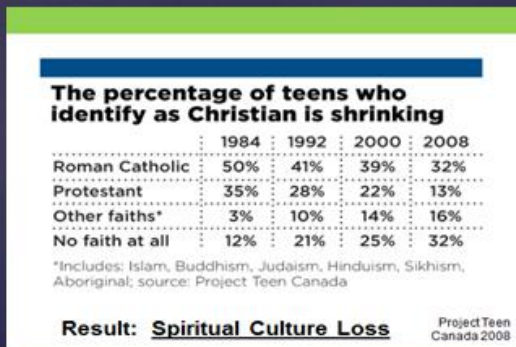
- Mandate GSA Clubs
- Sexual lifestyle messaging integrated all subjects all grade levels
- Persons/entities using/renting school facilities shall park their faith/doctrine at the door follow **the provincial code of conduct**

Indirect Effects

- Students requesting to organize a faith clubs are often refused because the assumed values are not consistent with GSA
- Student/staff diplomatic disagreement in classrooms, even during health class

- discussions where a student provides medical evidence to caution will be considered homophobia.
- Parental rights to be informed about sensitive curriculum is being removed
- Washroom/change room use in some school boards is now based on gender identity
- Increased sexual experimentation by students
- Teachers/students (and I) – have been told we are to park our faith at the school entrance and put on the faith/cloak of the Ontario Human Rights Commission’s provincial code of conduct – what happened to freedom of religion, and conscience?

Result - Affect on Spiritual Culture?



People of faith have expressed concern because over the same period of time (1980s – Post SSM) there has been a significant spiritual culture loss. Faith communities desire to have the same consideration as the LGBT community.

BUT – Equity does not mean equality. Equity means we can put in place policies, procedure, legislation to address a disadvantaged group, even if it discriminates against the majority.

As a result of SSM, school districts have ruled parents do **not have the right to know about sensitive curriculum** taught in the classrooms, even if it conflicts with their family and faith values.



S. Tourloukis – must challenge school decision in court.

A striking example of this is Mr. & Mrs. Toruloukis, parents of children in grades kindergarten and grade 2, who requested advance notice when planned curriculum (lessons, assemblies, planned activities) involving his child, dealt with content his faith teaches to abstain (e.g., moral relativism, occultic principles and practices, instruction on sex education, instruction affirming alternative sexual lifestyles). To his request the school told him, “they will not inform him. The school system is working to create an inclusive environment and to accommodate his request would be an endorsement of discrimination. “

See link about this story.

<http://www.lifesitenews.com/news/christian-dad-fighting-for-parental-rights-smearred-in-local-press>

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Conclusion

The people of Ontario are feeling the effects of 'Reverse Discrimination', which is allowed under EQUITY programs.

The greatest concern is that equity trumps our other constitutional rights.

Section 2 of the Canadian Charter of Rights and freedoms lists the following as fundamental freedoms:

5. freedom of conscience and religion;
6. freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
7. freedom of peaceful assembly; and
8. freedom of association.

However, since same sex marriage each of these freedoms has been severely limited in school:

Freedom of Conscience and religion – teachers and students must participate in, and be offended by programs that are not consistent with their conscience and religion.

Freedom of thought, belief, opinion and expression – some jurisdictions are telling students and staff are told even diplomatic communication of opinion, belief, and thought, even when backed with evidence is not allowed.

Freedom of peaceful assembly and association – students are not allowed to have faith clubs, or meet at the flag pole to pray. Citizens who are part of a faith group are discouraged from renting school facilities.

To avoid such losses of freedom, the people are asking elected representatives to slow this process down, and let's do a study of the long term effects (positive and negative) of same sex marriage, and legislatively ensure protections for all citizens.

Respectfully submitted

Phil Lees

PO Box 306

Binbrook, On

L0R 1P0

Testimony before the Hawai‘i Senate
Committee on Judiciary and Labor

Regarding S.B. 1

October 28, 2013

10:30 a.m.

Auditorium, State Capitol
415 South Beretania Street

By Dr. John C. Eastman

Henry Salvatori Professor of Law & Community Service
Dale E. Fowler School of Law at Chapman University;
Chairman, National Organization for Marriage¹

Presented In Person

¹ For identification purposes only. This testimony is presented in my personal capacity as a professor of constitutional law.

First, I want to congratulate the people of Hawaii for giving this important policy issue the attention it deserves, and for recognizing that it is ultimately a matter for the people to decide. Two decades ago, when your courts appeared poised to take the issue away from the people,² the people of this State rose up and reasserted their sovereign authority to keep control of this policy dispute. They passed, by a very large majority, a constitutional amendment authorizing the legislature to retain the definition of marriage as an institution of one man and one woman.³ A year later, the Hawaii Supreme Court recognized the import of that amendment: It established one-man/one-woman marriage as the policy of this State, now reflected in the State Constitution.⁴ Accordingly, the long-pending challenged to Hawaii's traditional marriage law that had been filed by three same-sex couples in 1990 was dismissed.⁵

² *Baehr v. Lewin*, 74 Haw. 530, 852 P.2d 44 (1993), *reconsideration and clarification granted in part*, 74 Haw. 645, 852 P.2d 74 (1993) (holding that Hawaii's longstanding marriage law amounted to sex discrimination and could only be upheld if it survived strict scrutiny); *Baehr v. Miike*, No. 91-1394 (1st Cir. Haw.) (holding that the Hawaii marriage law failed strict scrutiny, but staying the decision pending appeal).

³ Constitutional Amendment 2, approved November 3, 1998 by a vote of 69.2% to 28.6%. Hawaii Office of Elections, General Election 1998, available at <http://hawaii.gov/elections/results/1998/general/98swgen.htm>. The amendment is now codified at Haw. Const. Art. I, § 23.

⁴ *Baehr v. Miike*, No. 20371 (Haw. S.Ct. Dec. 9, 1999).

⁵ *Id.*

By asserting its constitutional authority in this manner, the people of this State recognized what courts in a half dozen other states have failed to appreciate. This is not a civil rights issue, but an important issue of social policy that should be left to the people to decide.

And because the consequences of radically redefining such a core social institution as marriage are likely to be profound, I strongly urge you not to make this decision simply in the legislative halls, but refer it to a statewide vote of the people, as you did a decade and a half ago with Amendment 2.

Let me explain why this decision is so profoundly important. The basic contention that this is a civil rights issue is that homosexual couples are being denied the equal protection of the law by not being given access to an institution that heterosexual couples have access to. The very title of the proposed statute—“the Hawaii Marriage *Equality* Act of 2013” (emphasis added)—rests on that proposition. But the Equal Protection Clause of the Constitution and the idea of equality that it codifies have always required that people who are *similarly situated* be treated similarly. The guidestar for determining whether people are similarly situated is the purpose of the classification or institution to which they are seeking equal access. Thus, to answer the equality question, we must consider first and foremost the purposes of marriage, and why society has invested so much in it. If, has been the case for millenia, marriage is the institution which channels the

unique procreative abilities of men and women into something that is societally beneficial, then homosexual and heterosexual relationships are simply not similarly situated with respect to that purpose. By redefining Marriage to treat these dissimilar relationships as though they were the same, therefore, you will necessarily move the institution away from that core and societally beneficial purpose.

But you need not take my word for it. In the litigation over California's Proposition 8, which like your Amendment 2 defined marriage in the traditional way as an institution of one man and one woman, evidence to that effect was introduced from *proponents* of redefining marriage to include same-sex couples. Plaintiffs' own expert in the case, Professor Nancy Cott of Harvard, admitted during her trial testimony that redefining marriage to include same-sex couples would profoundly alter that institution.⁶ Yale Law School Professor William Eskridge, a prominent gay rights activist, explained in a book that was introduced into evidence *by Plaintiffs* that "enlarging the concept [of marriage] to embrace same-sex couples would necessarily transform it into something new."⁷

⁶ See *Perry v. Schwarzenegger*, Trial Tr. 268.

⁷ William N. Eskridge, Jr. & Darren R. Spedale, *GAY MARRIAGE: FOR BETTER OR FOR WORSE? WHAT WE'VE LEARNED FROM THE EVIDENCE* 19 (2006) (*Perry v. Schwarzenegger*, Plaintiff's Ex. #2342).

These “new” and “profound” changes are not good. As Professor Andrew Cherlin of Johns Hopkins University, a same-sex marriage supporter, noted in an article of his also introduced into evidence, same-sex marriage is “the most recent development in the deinstitutionalization of marriage,” which he defines as the “weakening of the social norms that define people’s behavior in ... marriage.”⁸ Indeed, as other advocates for redefining marriage to include same-sex relationships have noted, “[s]ame-sex marriage is a breathtakingly subversive idea.”⁹ “[C]onferring the legitimacy of marriage on homosexual relations will introduce an implicit revolt against the institution into its very heart.”¹⁰ “If same-sex marriage becomes legal, that venerable institution will ever after stand for sexual choice, for cutting the link between sex and diapers.”¹¹

This connection between procreation and marriage is not something unique to Americans. It has existed in every society and culture throughout human history. Let me point again to the evidence introduced during the *Perry* trial. Renowned anthropologist Claude Levi-Strauss noted, in an article introduced into evidence,

⁸ Andrew J. Cherlin, “The Deinstitutionalization of American Marriage,” 66 J.MARRIAGE & FAM. 848, 848, 850 (2004) (*Perry*, Def. Ex. #49).

⁹ E.J. Graff, Retying the Knot, THE NATION, June 24, 1996 at 12 (*Perry*, Defendants’ Ex. #1445).

¹⁰ Ellen Willis, contribution to “Can Marriage be Saved? A Forum,” THE NATION, July 5, 2004 at 16-17.

¹¹ Graff, Retying the Knot, *supra*, at 12.

that “the family—based on a union, more or less durable, but socially approved, of two individuals of opposite sexes who establish a household and bear and raise children—appears to be a practically universal phenomenon, present in every type of society.”¹² Marriage is thus “a social institution with a biological foundation.”¹³

The great English common law writers and political theorists recognized the natural foundations of the institution of marriage. William Blackstone, when writing of the “great relations in private life,” described the relationship of “husband and wife” as “founded in nature, but modified by civil society: the one directing man to continue and multiply his species, the other prescribing the manner in which that natural impulse must be confined and regulated.”¹⁴ And he described the relationship of “parent and child” as “consequential to that of marriage, being its principal end and design: it is by virtue of this relation that infants are protected, maintained, and educated.”¹⁵

¹² Claude Levi-Strauss, *THE VIEW FROM AFAR* 40-41 (1985) (*Perry*, Def. Ex. #63); see also G. Robina Quale, *A HISTORY OF MARRIAGE SYSTEMS* 2 (1988) (*Perry*, Def. Ex. #79) (“Marriage, as the socially recognized linking of a specific man to a specific woman and her offspring can be found in all societies”).

¹³ Claude Levi-Strauss, “Introduction,” in Andre Burguiere, et al. (eds.), *1 A HISTORY OF THE FAMILY: DISTANT WORLDS, ANCIENT WORLDS* 5 (1996).

¹⁴ *1 WILLIAM BLACKSTONE, COMMENTARIES* *410.

¹⁵ *Id.*; see also *id.* *35 (“the establishment of marriage in all civilized states is built on this natural obligation of the father to provide for his children”).

John Locke likewise wrote that marriage “is made by a voluntary compact between man and woman,” and then provided essentially the same explanation of marriage’s purpose as Blackstone had:

For the end of conjunction between male and female, being not barely procreation, but the continuation of the species, this conjunction betwixt male and female ought to last, even after procreation, so long as is necessary to the nourishment and support of the young ones, who are to be sustained by those that got them, till they are able to shift and provide for themselves.¹⁶

Modern social science, too, confirms the importance of the connection between biology and marriage. As eminent sociologist Kingsley Davis has noted, “[t]he genius of the family system is that, through it, the society normally holds the biological parents responsible for each other and for their offspring. By identifying children with their parents ... the social system powerfully motivates individuals to settle into a sexual union and take care of the ensuing offspring.”¹⁷

Moreover, the harmful effects to children of not being raised by their biological parents is increasingly being confirmed by the social science evidence.

¹⁶ John Locke, *SECOND TREATISE OF CIVIL GOVERNMENT* §§ 78, 79 (1690).

¹⁷ Kingsley Davis, “The Meaning & Significance of Marriage in Contemporary Society,” in *CONTEMPORARY MARRIAGE: COMPARATIVE PERSPECTIVES ON A CHANGING INSTITUTION*, at 7-8 (Kingsley Davis, ed. 1985) (DIX50).

A study published online in *Demography* in late 2012 by three economists, Professors Douglas W. Allen, Catherine Pakaluk, and Joseph Price, found that children raised by same-sex parents were 26% to 35% more likely to not make the same normal school progress as children raised by married heterosexual parents. They concluded: “With respect to normal school progress, children residing in same-sex households can be distinguished statistically from those in traditional married homes and in heterosexual cohabiting households.”¹⁸

Another 2012 study, by Daniel Potter, published in the *Journal of Marriage and Family*, reported that children raised by same-sex parent families scored lower on Math assessment tests than their peers raised in married, biological-parent homes.¹⁹ Mark Regnerus’s important “New Family Structures Study” concluded that the scientific data “clearly reveals that children appear most apt to succeed well as adults—on multiple counts and across a variety of domains—when they spend their entire childhood with their married mother and father.”²⁰ And a study

¹⁸ Douglas W. Allen, Catherine Pakaluk, & Joseph Price, *Nontraditional Families and Childhood Progress Through School: A Comment on Rosenfeld*, *Demography* (Online) 10.1007/s13524-012-0169-x (18 November 2012), available at

<http://link.springer.com/content/pdf/10.1007%2Fs13524-012-0169-x> (seen 15 January 2013).

¹⁹ Daniel Potter, *Same-Sex Parent Families and Children’s Academic Achievement*, 74 *J. Marr. & Fam.* 556, 568 (2012), available at <http://www.baylorisr.org/wp-content/uploads/Potter.pdf> (seen 130309) (children in same-sex parent families scored lower than their peers in married, 2-biological parent households, but results can be explained by other factors).

²⁰ Mark Regnerus, “How different are the adult children of parents who have same-sex relationships? Findings from the New Family Structures Study,” 41:4 *SOCIAL SCIENCE RESEARCH* 752-770 (July 2012).

published just this Fall, based on research of a 20% sample of the 2006 Census relevant population in Canada, found that children raised by gay and lesbian couples are only about 65% as likely to graduate from high school as children from married, opposite-sex couples. Thus, children raised by gay and lesbian couples are significantly disadvantaged compared to children raised by married mom-and-dad parents.²¹

And yet, the proposed statute removes that beneficial biological connection *by design*. Section 572-C specifically provides for a “parental presumption based on marriage,” thereby eliminating any connection with the actual biological connection between a man and a woman and their children. It establishes a “gender neutral” definition of marriage. Section 572-B. And it expressly deletes the important finding in existing Hawaii law regarding the determination by the people of this state “to preserve the tradition of marriage as a unique social institution based on the committed union of one man and one woman.” Act, Sec. 8

²¹ See also *Perry* trial evidence: Kristin Anderson Moore, et al., *Marriage From a Child’s Perspective*, CHILD TRENDS RESEARCH BRIEF at 6 (June 2002) (*DIX26) (“Research clearly demonstrates that family structure matters for children, and the family structure that helps children the most is a family headed by two biological parents in a low-conflict marriage.”); *id.* at 1-2 (“[I]t is not simply the presence of two parents, ... but the presence of two biological parents that seems to support children’s development.”); Wendy D. Manning & Kathleen A. Lamb, *Adolescent Well Being in Cohabiting, Married, & Single-Parent Families*, 65 J. MARRIAGE & FAM. 876, 890 (2003) (DIX21) (“The advantage of marriage appears to exist primarily when the child is the biological offspring of both parents.”); see also Affidavit of Professor Steven Lowell Nock, *Halpern v. Attorney General of Canada*, Case No. 684/00 (Ont. Sup. Ct. Justice 2001) (DIX131, attached as Exhibit C) (detailing flaws in same-sex parenting scholarship and studies).

(deleting findings in existing Section 572-C2. Such a severing *in law* of the connection between the unique procreative abilities of men and women and the institution of marriage that was designed to foster and channel those procreative abilities in a societally beneficial way is bound to have profound consequences, not just on the children but on all of society. Put simply, it is more difficult to convince people of the unique importance of fathers and mothers to the development of children when the law is saying that either fathers or mothers (or perhaps both) are optional. And again in the *Perry* trial evidence, this fact was confirmed by Plaintiffs' own expert: "the increase in father's absence is particularly troubling because it is consistently associated with poor school achievement, diminished involvement in the labor force, early child bearing, and heightened levels of risk-taking behavior."²²

More troubling still. By removing any grounding of the institution of marriage in the unique biological complementarity of men and women, this proposed statute also removes any rational legal defense to other claims that undoubtedly will be brought to further redefine marriage. Section 572-1(1), for example, prohibits marriage between parents and their children, between siblings, and between aunts and uncles and their nieces and nephews (amended by this proposed statute to expand the prohibition to same-sex relationships in each

²² Testimony of Professor Lamb, *Perry* Trial Tr. at 1073.

category). Yet once the essential conjugal nature of the marital relationship is severed from the institution as a matter of law, it is hard to fathom what the rational basis would be for these prohibitions. So, too, with the existing prohibition in Section 572-1(3) on polygamous marriages. Indeed, if anything, limitation on number is more arbitrary, and less rooted in historical practice, than the existing limitation on gender that this proposed statute seeks to abolish. I strongly urge this Committee to not take this step – at least not without a full vote of the people of the State expressing their willingness to embark upon such a radical and potentially devastating experiment in social policy. As same-sex marriage advocate Jonathan Rauch has previously recognized, there is wisdom in “find[ing] out how gay marriage works in a few states” while “let[ting] the other states hold back.”²³

Finally, let me address briefly the religious liberty exemption provided in the proposed legislation. It is, quite frankly, woefully inadequate. Only ministers, who do not have to perform marriages, and religious organizations that do not allow the use of their facilities by the general public for a profit, are protected. Countless others will find their sincerely held religious beliefs not protected at all,

²³ Pew Forum on Religion & Public Life, An Argument for Same-Sex Marriage: An Interview With Jonathan Rauch, April 24, 2008, available at <http://pewforum.org/Gay-Marriage-and-Homosexuality/An-Argument-For-Same-Sex-Marriage-An-Interview-with-Jonathan-Rauch.aspx> (*Perry*, Def. Ex. #1035).

and as the experience from other states is already demonstrating, the conflicts between religious liberty and mandatory recognition of same-sex relationships as “marriages” are not being resolved favorably in support of religious liberty.

I thank you for your time, and am happy to answer any questions you might have.

To: Senate Committee on Judiciary and Labor

Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.

Place: Capitol Auditorium

Re: Strong Opposition of SB1

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing to voice my strong opposition to Bill SB1.

I am asking you to allow the people to decide on the issue of marriage as I believe the legislature is going against the will of the people. I support equality for all including the rights of conscience and religious freedom, which I ask you to respect as our elected leaders.

13 reasons to vote No on the unconstitutional Same Sex marriage bill

1. Would further the rampant spread of AIDS and STD's in the Gay community to others especially children being taught that homosexual has no consequences and is lifestyle choice.(See details below*)
2. Accommodations laws do not supersede the U.S. Constitution and Bill of Rights. It's against the constitution for Government to legislate laws against the freedom of religion and rights of conscience.
3. Sexual orientation is defined by the act of sex. No one has the right to have sex with anybody that they want to. So by definition it cannot be equivalent to a civil right. If Sexual orientation becomes a right than those who are oriented to have sex with non-consensual women or men (rape & sodomy), underage children (pedophile), family members (incest), animals (bestiality) claim it as civil right as well.
4. Negative unintended consequences to existing laws and businesses, education, family morals and many aspects of society are countless and irreparable.
5. Those who support this controversial and negative societal change might not be accountable to the majority of the people and the Democratic voting of the people but they will have to answer to God who mentions biblically that it would be better for them to be thrown in the water with millstone tied to their neck then for them to cause the little ones to stumble towards evil and sin. So called Christians legislators are going to be held to a higher standard.
6. A very small fragment percentage of society will even use the law. All supposedly equal treatment and rights were already addressed in the Civil Unions and Reciprocal Beneficiaries bills passed into law. I guess the Homosexual lobbyists must have all been lying before about those laws they demand in the past.

7. Every cultural in the history of the world recognizes marriage between a man and a women, if they did they all began to be gay that culture would only exist for one generation and be gone to extinction.
8. Homosexuality is a major reason for Islamic Terrorism towards the United States.
9. Lawsuits and legal issues from this poorly written and unconstitutional bill and issue will tie down the legislature for years to come and cost the state millions of dollars.
10. Death threats and persecution of religious leaders and those opposing the homosexuality lobby would continue to go unpublished, unaddressed and flourish in the light of political correctness. Hate crimes and prejudice will continue to increase against Christian law abiding citizens.
11. The bill is poorly written contradicting itself when it eliminates the use of gender based terms like Husband and Wife on page 4 line 21 but then uses the terms on page 8 line 1.
12. The bill is discriminatory on the basis of race and ethnicity since page 7 lines 3-5 state that “The respective parties do not stand in relation to each other of ancestor and descendent of any degree whatsoever.” So those you are of the same race and ancestry it will not allow be able to marry. Filipino to Filipino, Japanese to Japanese, Hawaiian to Hawaiian, etc.

Definition of descendent: **a person considered as descended from some ancestor or race**

13. This bill illegally creates a tax on not profit Churches without stating in the Bills title as is required.

SB1, the gay marriage bill to be considered in a special legislative session beginning October 28, contains within it an implied finding that marriage-related church functions, until now regarded as non-profit, will be considered a ‘for-profit’ activity. As a result, state and possibly federal taxes will be imposed on previously tax-exempt revenues generated on or after the bill’s effective date of November 18, 2013. This will apply to all churches generating marriage-related revenue -- whether or not they accept gay marriage.

SB1 is also incorrect in form because it does not mention taxation in the bill title or description. The word “tax” appears nowhere in the text of the bill. The [Hawaii Legislators’ Handbook](#) points out: “A (bill) title must include a distinct reference to the subject matter to which it relates and also cover but one subject.”

* Physical Consequences of Homosexual Behavior

STDs

Every year, according to the John A. Burns School of Medicine, University of Hawaii, homosexual males must be tested for:

- HIV
- HSV

- Syphilis*
- Rectal Gonorrhea
- Rectal Chlamydia
- Urethral CT & GC
- Pharyngeal Gonorrhea

*As of March 10, 2010, the Center for Disease Control reported 91-173 cases of syphilis per 100,000 men who have sex with men, compared to two cases per 100,000 other men, and one case per 100,000 women. **1**

In addition to being tested for STDs, homosexual males that have multiple partners which is about 97% of all homosexual males, every three to six months, the John Burns School of Medicine recommends that they are tested for Methamphetamine use.

From: [MarshaRose Joyner](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 1:16:37 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

I'm MarshaRose Joyner, a Veteran of the Civil Rights Movement". Inasmuch as I have spent the majority of my life fighting for equal rights for everyone. I'm writing to you as the representative of the people in Hawaii "the State of Aloha". And as such, I requesting that you take a good look at the issue of marriage equality, with the operative word being equality.

I respect your religious traditions and opinions; however the Constitution as stated in the 1st amendment is clear about the separation of church and state. Thomas Jefferson wrote "Believing with you that religion is a matter which lies solely between Man & his God, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, & not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion, or prohibiting the free exercise thereof", thus building a wall of separation between Church & State.

"The Establishment Clause" has long been thought to protect two values, the separation of religion and government from each other, and government neutrality with respect to religion. Separation requires that religion and government each refrain from involving itself in the affairs of the other.

While the so-called religious issue is necessarily and properly an issue, I want to emphasize from the outset that we have far more critical issues to face. Number one is: The humiliating treatment of our citizens who happened to be of a different sexual orientation by those who do not respect them.

The issue of liberty, justice and equality in the United States has been contentious throughout the country's history.

MarshaRose Joyner
477 Opihikao Place
Honolulu, HI 96825

From: [Lisa Hamilton](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 1:21:12 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

The human heart will go where it will, everyone has the right to marry whomever they wish because of this. I support marriage equality because marriage is a right, not a privilege. It is much too personal for lawmakers to legislate.

Thank you for this opportunity to testify.

Lisa Hamilton
146 Ehilani
Makawao, HI 96768

From: [Kristin Douglas](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 1:22:38 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Kristin Douglas
PO Box 1204
Haleiwa, HI 96712

From: [Teri Heede](#)
To: [JDLTestimony-InPerson](#)
Subject: TESTIMONY in SUPPORT - SB1 RELATING TO EQUAL RIGHTS
Date: Friday, October 25, 2013 1:40:45 PM
Importance: High

COMMITTEE ON JUDICIARY AND LABOR

DATE: Monday, October 28, 2013

TIME: 10:30 a.m.

SB 1 - RELATING TO EQUAL RIGHTS

Aloha, Chair, Vice Chair and members of the committee!

Mahalo for allowing me to testify in support of equal rights. That IS what this is about. EQUAL RIGHTS. It isn't about religion except for those religions that don't believe in equality. You want a GREAT example? Look at Iran. Their entire government makes decisions based on their holy book.

Look at the South BEFORE the Civil War. Their brand of Christianity for land owners sounded from every southern pulpit. Southern churches rang with the voices of ministers quoting scripture and waving the bible to justify owning slaves and operating the EVIL machinations required to support such a system. Look, they said, it's in the BIBLE! See, their skin color...mark of Cain! They are not like white people and have evolved differently. They are certainly not now nor ever will be EQUAL in the sight of God or government!!!

I grew up in the 50's, a time idealized by many as the BEST time to raise a family. But generations after the "War Between the States" as it was called, I remember when dogs and fire hoses were turned on human beings. Then you had water fountains with "Colored Only" and Jim Crow was the law, segregation was required.

Well, it wasn't right then and this is not right now. You can't wave your Bible at me and tell me that rules is rules when I KNOW for a fact (having read the Bible) that we don't follow all the rules in there. We aren't following Moses' law like Jesus did...that's for SURE! Anybody here who eats pork, shellfish and/or wears polyester blends..YOU are ALL in trouble!!

And the bottom line is: I don't want to change your religion with this rule, no matter how misguided, compassionless and evil it might be. You have a right to your church....and PLEASE!! For the love of the GODDESS go there and worship!! If it is so radically righteous a life style...LIVE it! PROVE it! But DO NOT impose it on me or my government. I won't go to your church to get gay married and you stay out of mine when and IF I do (I have been married to a heterosexual 3 times....seriously...at this point I should just stop!) I won't come to YOUR church!!

BE BLESSED! Government do the right thing and stand up for EQUAL RIGHTS for all Americans!!! Support this bill.

From: Daniel Gluck
Honolulu, HI

To: Senate Committee on Judiciary and Labor

Re: **Strong Support** of SB1, Relating to Equal Rights

Dear Chair Hee, Vice Chair Shimabukuro, and Members of the Committee on Judiciary and Labor:

I strongly support SB1, and I respectfully ask that the Legislature pass this important legislation during this special session.

The law ought to treat all of Hawaii's families equally. This legislation will help to protect and promote the health of Hawaii's families, and it's the right thing to do for our state.

Thank you for this opportunity to testify.

Thank you very much,

A handwritten signature in black ink, appearing to read 'Daniel Gluck', with a stylized flourish at the end.

Daniel Gluck
Kamehameha Heights

From: [Scott Foster](#)
To: [JDLTestimony-InPerson](#)
Subject: Supporting SB1
Date: Saturday, October 26, 2013 1:58:27 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re: Supporting SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committees:

As a 70 year old Gay man, I've lived my entire adult life since 1965 openly Gay. Not that I "flaunt it" as we are often accused of doing, but simply because I knew that in order to become the person I wanted to be, I needed to be and live who I am.

In Hawai`i for 25 years, I've grown old. Despite Hawaii's reputation for openness, in the past I've been evicted from my rental home because my name was in the news while speaking out for my sisters and brothers as Editor of the Hawaii Gay community News during the horrible years of the AIDS Pandemic.

I gave the 10 most productive years of my life working pro bono for national drug policy reform in order to see HIV and other drugs (breast and colon cancer, etc.) move more quickly through clinical trials, to see Hawaii's lauded needle exchange passed into law and to help other LGBT living in Hawai`i to achieve many of the other benefits we now enjoy. But those are very limited when compared to the civil rights and protections the "straight" community takes for granted -- including marriage.

There are those who continue to call the LGBT ugly names and who continue to write and say hurtful, untrue things about us in the name of their version of "God" and in the name of Jesus Christ. The Lord of the Universe that I know loves us all just as we were created.

The freedom to marry the person you love is a basic American freedom that should not be denied to anyone. We get married for the same reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person we love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass SB-1 to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Scott Foster
2416 Kalihi Street Unit 11
#11
Honolulu, HI 96819

From: [Luke Evslin](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 2:06:58 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Luke Evslin
7220 Kahuna Rd.
Kapaa, HI 96746

From: [Nick LaCarra](#)
To: [JDLTestimony-InPerson](#)
Subject: Committee on Judiciary and Labor, SB1,October 28,2013, 10:30AM
Date: Saturday, October 26, 2013 4:08:41 PM

From: **Nick LaCarra** (alohaguys808@hotmail.com)

Sent: Sat 10/26/13 3:51 PM

To: JDLTestimony-InPerson@capitolhawaii.gov (jdltestimony-inperson@capitolhawaii.gov)

I will be testifying in person to the Committee on Judiciary and Labor on Bill number SB1, Monday October 28,2013 at 10:30AM.

My testimony will outline the need for a bill that recognizes Equal Rights and grants the same rights to same sex couples that opposite sex couples have always had.

I have been with my partner for 30 years next March and have waited this entire time to be married and have the same rights as other couples that are married. I see no reason that one group of individuals have rights that other individuals are denied. History has shown us that discriminating and denying rights to any particular group is fundamentally wrong. We have as a nation moved forward and away from such antiquated beliefs. There have been a number of people in our society that were in the past denied their rights, such as women. Women at onetime were not allowed to vote, now they stand in front of me as part of a governing committee and are elected to run for President of the United States. African Americans were 'bought and sold' and denied any and all rights at one time in our great country, now they are respected, admired, and even hold the highest position in the United States of America! History has shown we should never deny any one group of people their rights. It is wrong and we have proven that from our past. We are ALL equal, we are born equal and should enjoy Equal Rights, including the right to marry the person we fall in love with.

I wonder if anyone of you in this governing body can imagine what it might feel like to hope that a group of individuals will vote on a bill to allow **you** to be equal! Imagine how it might feel, for me to say to you, that your love, your relationship is just not equal to mine! Well that is what you would be saying if you do not pass this bill.

There is no proof that my relationship of 30 years is going to destroy your marriage, or any marriage. There is proof that my relationship of almost 30 years **hasn't** destroyed your marriage or any other marriage. If my relationship of almost 30 years were going to destroy the sanctity of marriage, it would have happened almost 30 year ago! Marriage Equality does

not destroy marriages, unstable relationships destroy marriages, in both same sex marriages and opposite sex marriages.

I ask you to vote for Marriage Equality, I beg you to vote for Marriage Equality, and it is truly a shame for any individual in this day and age to beg for their rights! Let this be the last time any individuals have to beg for their rights!

I hope that Hawaii will not be the last state to recognize equality. I hope that as history is recorded, Hawaii will be the 15th state (and Washington DC) to recognize true equality. Let us preserve the spirit of "Aloha" this state was founded on. Let our actions speak as loudly as our words!

ALOHA

Nick

From: [Jeff Esmond](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Sunday, October 27, 2013 4:26:28 AM

My youngest son turned one two days ago. My older two children are three and a half. If ever there was a same gender couple who wanted children that would be me and my civil union partner Darrin. It's not easy as a male male couple to have children, but that didn't stop us. It took nine in vitro fertility attempts for us to have our two successful pregnancies. It wasn't easy, believe me. It is devastating to have a failed pregnancy attempt, let alone seven. Need I tell you how much we wanted children? How much we wanted a family? Our children have had two parents raising them from the day they were born. I know the truth about our ability to raise children as a loving family. I also know that my partner and I deserve the right to get married like other couples currently allowed to get married legally. No one can look at our children and tell me they don't deserve the dignity of having their two parents be married under Hawaii state law. No one can look at me and my partner and say that either.

This does not affect just us, this affects every one. That's because there are gay people in all of our lives..whether it is our immediate family members, our co workers, our friends, our neighbors, the person who helps us at the store, or the person we help. We are not some separate minority group, we are a part of all of us.

My children are too young to understand that under Hawaii state law it is currently illegal for their parents to be legally married. I hope I never have to explain to them that we are second class citizens.

Please support SB1 and vote yes so that all couples including couples with children can be treated equally.

Jeff Esmond
47-501A Nenehiwa Pl
Kaneohe, HI 96744



**HAWAII
UNITED
FOR MARRIAGE**

Committee: Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place: Capitol Auditorium
Re: *Testimony of the Hawaii United for Marriage in Strong Support of S.B. 1,
Relating to Equal Rights*
From: Jacce Mikulanec

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I write on behalf of Hawaii United for Marriage in strong support of S.B. 1, Relating to Equal Rights, which establishes the freedom to marry for same-sex couples in Hawaii.

Hawaii United for Marriage (HUM) is a statewide coalition of religious congregations and clergy, businesses, labor unions, community organizations, and individuals. HUM has secured the following endorsements for the freedom to marry in Hawaii: (1) over 70 faith leaders and organizations; (2) Governor Abercrombie, the entire federal delegation of Hawaii and numerous elected officials; (3) over 75 community organizations; (4) 13 labor unions; (5) over 200 local businesses; (6) seven media outlets; and (7) hundreds of individuals and attorneys. Lists of each of these groups are attached to this testimony for your convenience. As illustrated by the diverse and overwhelming support for marriage equality, the fact is that Hawaii is ready.

Marrying the person you love is a basic freedom. Committed couples and their families, regardless of their sexual orientation, should all have the same rights and protections. Gay and lesbian couples want to marry for the same reasons as anyone: to make a lifetime promise of love, commitment, and responsibility to each other. Marriage is unique, there's nothing else like it. And marriage says `ohana in a way that civil unions simply do not.

We respectfully urge you to pass S.B. 1. The time is now.

Thank you for this opportunity to testify.

Sincerely,

Jacce Mikulanec, JACL – Honolulu Chapter
Founding member of Hawaii United for Marriage

Faith

United for Marriage Equality in Hawaii



Rev. Bill Albinger (Episcopal)
 Donald Armstrong (Jewish, Conservative)
 Rev. Dr. Michael Arase-Barham (Episcopal)
 Ken Aronowitz, Cantor (Jewish)
 Rev. David J. Baar (Episcopal)
 Rev. Stan Bain (Methodist)
 Very Rev. Walter Brownridge (Episcopal)
 Sister Joan Chatfield (Catholic)
 Church of the Crossroads
 Rev. Joshua Clough (Methodist)
 The Church of the Holy Apostles
 Rev. Samuel Cox (Methodist)
 Tom Van Culin (Episcopal)
 Rev. Mary David (Buddhist)
 Rev. Sam Domingo (Methodist)
 Father Nick Eyre (Ecumenical Catholic)
 First Unitarian Church of Honolulu
 Rt. Rev. Robert Fitzpatrick (Episcopal)
 Rev. Angela Freeman (Lutheran)
 Rev. Fritz Fritschel (Retired ELCA Clergy)
 Former Bishop Yoshiaki Fujitani (Retired, Honpa
 Hongwanji Mission)
 Rev. Darren Galindo (Unitarian)
 Gandhi International Institute for Peace
 Rev. Carolyn Martinez Golojuch (Native American
 Spiritualist)
 Paul Gracie (Jewish, Reform)
 Rev. Canon Brian Grieves (Episcopal)
 Rev. Kerry Grogan (Disciples of Christ)
 Rev. Michael Grogan (Disciples of Christ)
 Jade Guess (Unitarian)
 Rev. Keith Harding (Episcopal)
 Rev. John Heidel (United Church of Christ)
 Rev. Blayne Higa (Buddhist)
 Father Moki Hino (Episcopal)
 Honolulu Friends Meeting, Religious Society of
 Friends (Quaker)
 Rev. Margie Hyatt (Unity)
 Rev. Earl Ikeda (Buddhist)
 Father Jack Isbell (Ecumenical Catholic)

Rev. Kevin Kline (Lutheran)
 The Very Rev. Father Drew A. Kovach, MD
 (Inclusive Orthodox)
 Rev. Dr. Catherine Ishida (Unitarian)
 Konko Mission of Honolulu
 Rev. Kevin Kuniyuki (Buddhist)
 Rev. Dr. Jonipher Kuponon Kwong (Unitarian)
 Rev. George Lee (Episcopal)
 Rev. Jeff Lilley (Lutheran)
 Rev. Paul Lillie (Episcopal)
 Rev. Kyle Lovett (United Church of Christ)
 Bradford Lum (Buddhist/Hawaiian)
 Rev. Neal MacPherson (United Church of Christ)
 Rev. Rona Managayayam (Methodist)
 Rev. Tim Mason (Lutheran)
 Bishop Eric Matsumoto (Buddhist)
 Rev. Irene Matsumoto (Buddhist)
 Rev. Bob Miyake-Stoner (Methodist)
 Rev. Nobuko Miyake-Stoner (Methodist)
 Rev. Bob Nakata (Methodist)
 Rev. Dr. John T. Norris – Fmr. ED, Hawaii Council
 of Churches
 Rev. Mary Paik (United Church of Christ) Bonnie
 Prebula (Lic. Hawaii Minister)
 Randy Reynoso (United Church of Christ)
 Rev. Barbara Grace Ripple (Methodist)
 Rabbi Peter Schaktman (Jewish, Reform)
 Rev. Sky St. John (Unity)
 Rev. Nayer Taheri (Unitarian/Muslim)
 Rev. Dr. Todd Z. Takahashi (Shinto)
 Unitarian Universalists of West Hawaii (Kailua-
 Kona)
 Unitarian Universalists of Puna
 Unity Church of Hawaii
 Robert Bley-Vroman (Quaker)
 A. Joris Watland (Lutheran)
 Dr. Mel White
 Renie Wong-Lindley (Quaker)
 Rev. Edna Yano (Shinto)
 Rev. Liz Zivanov (Episcopal)

Elected Officials

United for Marriage Equality in Hawaii



Governor Neil Abercrombie
Former Governor John Waihee
U.S. Sen. Mazie Hirono
U.S. Sen. Brian Schatz
U.S. Rep. Tulsi Gabbard
U.S. Rep. Colleen Hanabusa
Sen. Rosalyn Baker
Sen. Kalani English
Sen. Will Espero
Sen. Gilbert Kahele
Sen. Michelle Kidani
Sen. Suzanne Chun Oakland
Sen. Russell Ruderman
Sen. Laura Thielen
Rep. Della Au Belatti
Rep. Tom Brower
Rep. Denny Coffman
Rep. Faye Hanohano
Rep. Kaniela Ing
Rep. Chris Lee
Rep. Nicole Lowen
Former Rep. Jim Shon
Rep. Mark Takai
Rep. Cynthia Thielen
Former Rep. & Vice Speaker Jackie Young
Hawaii County Councilperson Margaret Wille
Former Honolulu City Council Chair Gary Gill
Honolulu Mayor Kirk Caldwell
Honolulu Councilperson Ikaika Anderson
Honolulu Councilperson Stanley Chang
Former Honolulu Councilperson Stephen A. Holmes
Honolulu Councilperson Ann Kobayashi

Community Organizations

United for Marriage Equality in Hawaii



ACLU of Hawaii
Advocates for Public Interest Law (APIL), University of Hawaii, William S. Richardson School of Law
Afro-American Lawyers Association
Ahupua'a Action Alliance
Aloha Tennis Association
Americans for Democratic Action Hawaii
American Immigration Lawyers Association, Hawaii Chapter
American Unity Fund
Anti-Defamation League
Aloha Bears
Babes Against Biotech
Blazing Saddles Hawaii
Chaminade University Gay Straight Alliance
Democratic Party of Hawaii
Dignity Honolulu
Equality Hawaii
Equality Hawaii Action Fund
Equality Hawaii Foundation
Freedom to Marry
Gay Men's Chorus of Honolulu
Gill Action Fund
GLBT Caucus of the Democratic Party of Hawaii
Green Party of Hawaii
Gregory House Programs
Harm Reduction Hawaii
Hawaii Advocates for Consumer Rights
Hawaii Appleseed Center for Law and Economic Justice
Hawaii Association of Immigration Attorneys
Hawaii Commission on the Status of Women
Hawaii Independent Democrats
Hawaii Island HIV/AIDS Foundation
Hawaii LGBT Legal Association (HLLA)
Hawaii Martin Luther King, Jr. Coalition
Hawaiian National Communications Corporation
Hawaii National Lawyers Guild
Hawaii Peace & Justice (formerly AFSC – Hawaii)
Hawaii People's Fund
Hawaii State Democratic Women's Caucus
Hawaii Women in Filmmaking
Honolulu Pride
Human Rights Campaign
'Iolani Gay Straight Alliance
Japanese American Citizens League (JACL)
KAHEA, The Hawaiian-Environmental Alliance
Kokua Council
Libertarian Party of Hawaii
Life Foundation
Laulima Equality
Maui Peace Action
Maui Pride
Marriage Equality USA
MoveOn.org
National Asian Pacific American Bar Association (NAPABA) Hawaii Chapter
National Association of Social Workers, Hawaii Chapter
National Employment Lawyers Association (NELA) – Hawaii
Oahu County Democratic Party
OutServe – SLDN
Pacific Alliance to Stop Slavery
PFLAG – Kauai
National Lawyers Guild – Hawaii Chapter
PFLAG – Oahu
Planned Parenthood of Hawaii
Progressive Democrats of Hawaii
Storytellers Everywhere
UH – Manoa Department of Political Science
UH – Manoa Ethnic Studies
UH – Manoa Graduate Student Organization
UH – Manoa Graduate Student Sociological Association
UH – Manoa John A. Burns School of Medicine, Partnership for Social Justice (UH JABSOM PSJ)
UH – Manoa Kua'ana Native Hawaiian Student Services
UH – Manoa Lambda Law Student Association
UH – Manoa LGBT Student Services
UH – Manoa Women's Center
Women's Chorus of Honolulu
World Can't Wait
Young Democrats of Hawaii
YWCA - Hawaii Island
YWCA - Kaua'i
YWCA - Oahu

Labor

United for Marriage Equality in Hawaii



Hawaii Nurses Association, OPEIU Local 50
Hawaii Regional Council of Carpenters
Hawaii State Teachers Association (HSTA)
Hawaii State Teachers Staff Organization (HSTSO)
International Association of Machinists and Aerospace Workers (IAMAW), Local Lodge 1998
Musicians' Association of Hawaii, Local 677 AFM
Pride at Work Hawaii
SAG-AFTRA (Screen Actors Guild)
UNITE HERE! Local 5
United Food & Commercial Workers Local 480
United Public Workers (UPW)
United Steelworkers International Union Local 12-0059

Businesses

United for Marriage Equality in Hawaii



808 Skate
808 Sparklez
A&B Party Rentals
Acupoint Hawaii
Akamai Foot Doctor, LLC
Albiola Photography
Ali'i Bluffs Windward Bed
and Breakfast
Allegra Performing Arts
Algood Consulting
Algood Living, LLC
Aloha Guest House
Aloha Labradors
Aloha Lobster
Aloha Toe Rings
Aqua Resorts
Arna Unlimited
Anytime Taxi
Art by Caitlin Hood
Asa Flowers
As Seen on TV Store – Hawaii
As Spirit Moves
A White Orchid Wedding, Inc.
Bacchus
Banyan Tree Sanctuary & Vacation
Rentals
Banzai Sushi
Barrio Vintage
Basique Threads
Beauty & Brains Salon
Best Day Ever Hawaii
Betty's Beach Cafe
Bevy
Big Island Tattoo
Blank Canvas
Blue Dragon Bodywork
BookkeeperVirtual.com
Kelli Bullock Photography
Café @ La Plage
The Catering Connection
Catering from Soup to Nuts
Celestial Natural Foods

Ceramic Designs by Albert
Ceramic Tile Plus
Chai's Island Bistro
Chelsea
Chinatown Music Studios
Chrysalis Counseling and
Consulting
Coconut Grove Music
Communications Pacific
The Creating CoPOWERment
(r) Center, LLC
CrimmCoSocial
The Crouching Lion Bar & Grille
Da Local Banana
Derek Daniels Productions
Design Response
Divine Maui
Do's Formal
Tiana Dole, Reiki Practitioner
Double Dare
Down Beat Diner
Earth Island Medicine
EGGSaCTLY
Elements of U
Events International
Evo Investment Advisors, Ltd.
Exclusively Yours Design
Fern Grotto Inn
Fighting Eel
Flags Flying
Flower Fair
Fred's Mexican Cafe
Fusion Waikiki
gayhawaiiweddings.net
Genius Lounge
Genius Outfitters
Grass Shack Rentals & Parties
Green Ti Boutique & Massage,
LLC
Greens & Vines
Guava Shop
Hale Ohia Cottages

Haleiwa Art Gallery
Hana Roberts ND
Hanai Mala'ai
Happiness Hawaii
Harbor View Center
Hastings Luan & Roth
Hawaiian Aloha Blessings
Hawaii Weddings
Hawaii Island Retreat
Hawaiian Islands Candle Company
Hawaii Stone & Tile
Hello Makana
Help-U-Sell Honolulu Properties
Hibiscus Lady Nursery
Hiking Hawaii
Hitched on Maui
Holly's Hand-Made
Holuakoa Cafe
Honolulu Box Office
Ho'okupu Designs, Inc.
Peggy Hopper Gallery
House of Aria
Huggo's
Huggo's On The Rocks
Hula's Bar and Lei Stand
I Do Hawaiian Weddings &
Civil Unions
I Love Country Cafe
In Between Waikiki
In Concierge Services
Island Art Gallery
Island Heritage Realty
Island Keepsakes
Island Olive Oil
Island Soul Entertainment
Jackie Rey's Ohana Grill
Ryan Jacobie Salon
Java Cafe
Jeannemarie Photography
Juniroa Productions
Jungle Gems
Kailua Massage Therapy

Businesses

United for Marriage Equality in Hawaii



Kalani Oceanside Retreat
Konalani, Inc.
Kauai Calls!
Kauai Country Inn
Kauai Island Weddings
Ke'ie Cafe
Kimble Mead Designs
Kissed By Maui, LLC
Kohana Ili
Kona Impact
Kona Rock and Mineral
Ktown Tattoo
La Muse
Scott Larimer, RA,
Coldwell Banker Pacific
Properties
Latitudes, Purveyors of
Tommy Bahama Home
Lava Lava Beach Club
Gigi Lee Photography
Leis of Hawaii
Rhoady Lee Architecture & Design
(RLAD)
Life Centered Acupuncture Care
Little Gay Book
Little India
Loading Zone
LoJax
Loden & Conahan, LLC
Louis Pohl Gallery
Love Your Lawn
Lucky Belly
Scott MacGowan, RA,
Coldwell Banker Pacific
Properties
Manutea Nui E
Mahina Pizza
Maria Bonita Restaurant
Marry Me Maui
Mary Z's
The Mask-querade Bar
Maui Natural Bee

Maui Natural Medicine & Physical
Therapy
Maui Property Realty
Maui Real Estate & Fung Sui
Maui Sunseeker LGBT Resort
Maui Tax Advisors
Maui Wedding Cakes, Inc.
Maui Wedding Group
Maui Wedding Photography
Daryl Millard Gallery
Morning Brew
Donald Munro, Realtor
Niu Health Chiropractic
Oahu Glass
Oasis Cafe
Ocean View Chiropractic
Office Pavilion
Ola Kai, Ltd.
Ono Nuts
Otto Cake
Over Easy Down Under
Owens & Co.
Para Mercantile
Paracord Maui
Paradise Gourmet Catering
Penny Palmer Photography
Perfectly Planned Hawaii
PhynxPhyr Visions
Pineapple County
Planet Surf
Poiupu Plantation Resort, LLC
Pride Ink
Psychotherapy Office of Alan
R. Spector, LCSW
Puddle Duck Portraits
A Rainbow in Paradise
Rainbow Weddings
Raw Dog Hawaii
Red Pineapple
Relax Therapeutic Massage
Revere & Associates
Rachel Robertson Photography

Andrew Rose Gallery
Clare M. Rountree, PD.D, LLC
Royal Hawaiian Weddings
RT's Service, LLC
Rubber Stamp Plantation
Screen Pro of Hawaii
Simple Joy Vegetarian
Small & Mighty Marketing
Smith's Union Bar
Solar Rayes Hawaii
Starr Properties
Sterling Silver Productions
Still and Moving Center
Super Citizen
Surrounds Me
Sweet Creations by Dian Athena
Swim Pro
Tasty Ventures, LLC
Techmana, LLC
The Soap Cellar
Therapeutic Hands of Ross
The Tea Farm
Tom Moffatt Productions
Tower Hill Resources
Treasure Island Gallery
Twelve Tribes
Two Chicks in a Hammock, LLC
Under a Hula Moon
Undersea Expeditions, LLC
Valley Isle Gymnastics
Vintage Green Farms
Vintage Surfboards
Waikiki Mint Limeade
Waiialae Performing Arts Company
Robert Watkins Emergency Group
West Maui Counseling Center
The Winam Studio

Media

United for Marriage Equality in Hawaii



eTurboNews
eXpression! Magazine
The Hawaii Independent
Hispanic Hawaii News
Honolulu Star Advertiser
Maui News
Odyssey Magazine Hawaii

Individuals

United for Marriage Equality in Hawaii



Hokulani Aikau
Jim Albertini
James Aldrin
Nancy Aleck
Jiro Arase-Barham
Amy Agbayani
Maite Anasagasti
Barbara A. Ankersmit
Mary Tuti Baker
George P. Barbour, Jr. & Richard A.
Rodriguez
Donald Bentz
Holly Berlin
Dr. Robert R. Boller
Kathleen Brennen
Bettina Brown
Michelle Brown
Duyen Bui
Nomi Carmona
Clifford Chang
Chef Chai Chaowasaree
Bill Char
Richard Chisholm
Vanessa Y. Chong
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James Dator
Jeff Esmond
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Jeff Gere
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Lois Gill
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L. Thomas Ramsey, PhD
Liz Rees
Tracy Ryan
Rick Schneider
Benjiman Schrader
Mike Shapiro
Valerie Smith
Nevzat Soguk
Manfred Steger
Juergen Steinmetz
Renea C. Stewart & Lisa M. Veneri
John A. Sweeney
Dwight Takamine
Vicky Holt Takamine
Wayne Tanaka
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Zachary McNish
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Laura Moritz
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Jeese Smith
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D.K. Sproat
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Valentina Stewart Watson

Elizabeth Stone
Sheree Stewart
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Dawn Suyenaga
Summer Sylva
Stacy Takekawa
Pam Tamashiro
Wayne Tanaka
Patrick Y. Taomae
Mark Tarone
Cat Taschner
Steve Tannenbaum
Carroll Taylor
Sean Taylor
Laurie Temple
Gavin Thornton
Laurie Tochiki
Melissa Uhl
Clyde Wadsworth
Richard Wallsgrove
Sylvia Wan
Valentina Watson
Natalie Wilson
Matthew Winter
Bennett Wisniewski
Robin Wurtzel
Georgette Yaindl
Eric Yamamoto
Wendy Yamamoto
Lee Yarbrough
Edmund Yee
Mark Yee
Cathleen Yonahara
Colin Yost
Moana Yost
Alexa Zen

From: [Michael DeWeert](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Saturday, October 26, 2013 4:45:10 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. It goes beyond the narrow dogmas of any particular religious or ethnic group. There is nothing in the Bible about the right to visit your spouse in the hospital, the right to inherit property from your spouse, the right to provide health care for your spouse – these civil rights and others are legally granted by the secular laws and authorities -- It is time to free civil and legal definition of marriage from control by religious dogmas. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Michael DeWeert
926-A Kaipii Street
Kailua, HI 96734

From: [Carmela Tafoya](#)
To: [JDLTestimony-InPerson](#)
Subject: Writing to my Legislator
Date: Saturday, October 26, 2013 4:51:51 PM

Dear Sirs,
Mahalo for giving me the opportunity to testify in writing and in person.

Support marriage equality for same-sex couples in the upcoming special session, please!

ALOHA, love is what our state is known for. Stonger`ohana starts with making a life-long committment to the one we love in the eyes of church and state, while allowing critical protections and recognition; all people deserve.

Sixteen countries have the freedom to marry for same-sex couples (Netherlands, Belgium, Spain, Canada, South Africa, Norway, Sweden, Portugal, Iceland, Argentina, Denmark, France, Brazil, Uruguay, and New Zealand - plus Britain.)

Fourteen states - CA, CT, DE, IA, ME, MD, MA, MN, NH, NJ, NY, RI, VT, and WA - plus Washington, D.C. have the freedom to marry for same-sex couples.

Please let us finally shine as a State that leads, not that is left behind.

Mahalo Nui Loa for supporting this legislation,

Carmela Tafoya
808-554-1633

From: [Clyde Wadsworth](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Saturday, October 26, 2013 4:53:27 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

My name is Clyde Wadsworth. I am an attorney with the law firm of Alston Hunt Floyd & Ing, and co-counsel with John D'Amato representing the plaintiff couples in the marriage equality case – Jackson v. Abercrombie – that is currently before the Ninth Circuit Court of Appeals. I have 30 years of civil litigation experience, and I have worked as a cooperating attorney with Lambda Legal and the ACLU in cases involving marriage equality and religious exemptions to anti-discrimination laws. I am testifying today in my personal capacity.

I testify in strong support of SB1.

My partner and I recently celebrated our twentieth anniversary together. They say first comes love, then comes marriage, but we decided we couldn't wait for the official recognition. Our rich life together—our family, our friends—is what happened in the meantime.

As an attorney, I believe the freedom to marry the person you love is a fundamental constitutional right. And as a citizen of Hawai'i, I believe the freedom to marry is also the promise of aloha—an invitation to share both the benefits and responsibilities of living in this paradise. The marriage equality bill is a natural outgrowth of that aloha. It remedies a basic inequality in our system that denies gay and lesbian families—and make no mistake about it, we are families in every way that matters—the same rights and responsibilities that protect other married couples.

We can't let the forces of intolerance dictate whether the state will afford gay and lesbian families their fundamental civil rights. And we can't let those forces use their religious beliefs as a tool to limit the constitutional rights of their fellow citizens.

The religious exemption in SB1 protects religious freedom. The broader exemption sought by the bill's opponents would undermine the purpose of the bill. It would also open the door to exactly the kind of discrimination that Hawai'i's public accommodations law was designed to prevent. Would we allow religiously-affiliated organizations that are providing commercial services to discriminate against interracial couples on religious grounds? I doubt it. It doesn't make policy sense – and I believe it is constitutionally prohibited – to start cutting piecemeal holes in Hawai'i's public accommodations law targeted at same-sex couples.

A broader religious exemption is also unnecessary as a matter of First Amendment law. The U.S. Supreme Court made clear in the case of *Employment Division v. Smith* that religious beliefs do not excuse compliance with valid, generally applied laws regulating matters that the state is free to regulate, even if the law has the side effect of burdening a particular religious belief or practice. To permit religious exemptions to such laws, the Court said, would make professed religious beliefs superior to the law of the land, and permit every citizen to become a law unto himself.

In addition, the marriage equality bill does not interfere with internal church governance under the so-called church property cases. It does not involve employment decisions by religious organizations affecting employees who have the religious duties of ministers, which is what the recent case of *Hosanna-Tabor v. EEOC* involved.

Boy Scouts of America v. Dale, which has been cited by advocates of a broader exemption, also does not apply

here. SB1 does not force any church or other religious organization to take on a married same-sex spouse as their members. When a religiously-affiliated organization enters the public, secular world to make a buck, it is like any other business subject to anti-discrimination laws. Inserting a broad exemption into the marriage equality bill that allows religiously affiliated businesses to discriminate against same-sex couples is simply not a constitutional requirement.

There is no reason to dilute HB1 to allow discrimination against same-sex couples. That's not what the constitution requires and it's not what Hawai'i is about.

Thank you for this opportunity to testify.

Clyde Wadsworth
2233 Nuna Street
Honolulu, HI 96821

From: [Joe Wilson](#)
To: [JDLTestimony-InPerson](#)
Cc: [Sen. Clayton Hee](#); [Sen. Maile Shimabukuro](#); [Sen. Mike Gabbard](#); [Sen. Malama Solomon](#); [Sen. Brickwood Galuteria](#); [Sen. Sam Slom](#); [Sen. Les Ihara, Jr.](#)
Subject: Testimony-In-Person - in Strong Support of SB 1- Relating To Equal Rights
Date: Saturday, October 26, 2013 5:11:29 PM

TO: Hawai'i State Senate Committee on Judiciary and Labor
Clayton Hee – Maile S.L. Shimabukuro – Les Ihara, Jr. – Sam Slom –
Brickwood Galuteria
Malama Solomon – Mike Gabbard

FR: Joe Wilson
58-125 Iwia Place
Haleiwa, HI 96712

DATE: October 26, 2013

RE: Testimony in STRONG SUPPORT of SB 1 RELATING TO EQUAL RIGHTS - Recognizes marriages between individuals of the same sex. Extends to same-sex couples the same rights, benefits, protections, and responsibilities of marriage that opposite-sex couples receive. (While I support both Senator Hee's and Governor Abercrombie's version of the bill, I would prefer to see the version that ensures full compliance with Hawai'i's public accommodations law, voted upon, passed, enacted, and enforced.)
Hearing scheduled for 10:30am, Oct. 28, 2013, Auditorium, State Capitol

Testimony

I have been a resident of the North Shore of O'ahu for nearly ten years and a professional, as well as volunteer community-based, advocate for social, economic, environmental justice and human rights for more than 30 years. I continue this work now as a documentary filmmaker for public television. "Out In The Silence," a PBS film I made about the quest for fairness and equality for lesbian, gay, bisexual, and transgender (LGBT) people in rural and small town America, won an Emmy Award in 2010.

I offer this testimony IN SUPPORT of SB1 and all efforts to achieve inclusion, dignity, respect and full equal rights under the law for LGBT

and all members of the human family.

For my entire life, I have suffered from and been witness to the marginalization, bullying, harassment, violence and discrimination born of anti-gay bigotry. In my experience, these anti-gay campaigns have most often, and most vociferously, been fostered by those who claim some sort of fundamentalist religious beliefs and have taken place in front of parents, teachers, preachers, politicians and other community leaders and authorities who shamefully did nothing to prevent such terror, and worse, condoned it with their silence.

I applaud all those who are here today to make strong arguments for why lesbian and gay people should finally be included in the civil institution of marriage.

But I believe that, after centuries of exclusion from the life of our communities, we are finally at a very different place in this struggle. It is no longer our burden to explain our humanity or to beg that our human dignity or right to equality be recognized and respected.

Rather, it is your burden, as public servants and as our representatives in government, to explain why state-sanctioned discrimination against your gay and lesbian tax-paying, families, friends, neighbors and constituents should be tolerated for even one more day.

Please, do the right thing. Pass SB1, enact marriage equality in Hawai'i now, and remember that this is not the end, but merely the beginning of the urgent work to be done to end the harms that have been done to LGBT people in the name of religion, tradition, and state-sanctioned discrimination and to begin to make our communities whole again.

From: [Tracey Bennett](#)
To: [JDLTestimony-InPerson](#)
Subject: *****SPAM***** STRONG SUPPORT for Senate Bill 1
Date: Saturday, October 26, 2013 5:27:08 AM

October 25, 2013

Monday, October 28, 2013 – 10:30 a.m.
Senate's Committee on Judiciary and Labor
State Capitol Auditorium

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RE: STRONG SUPPORT for Senate Bill 1

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Aloha, Chairperson Hee and fellow committee members,

Last week I passed a few sign wavers in front of this building. Their signs said, "Support Traditional Marriage." I don't--and if they knew what it really meant--those folks wouldn't either.

Traditional marriages were arranged marriages for status or for the preservation of money or property. Some men captured their wives. Or bought them for cows, goats, skins or even woodpecker scalps.

Women had to be virgins. Some traditional couples didn't even meet until the wedding. Marry for love? Forget it! That was out of the question. In many countries that's still true.

Women themselves had no rights in traditional marriage. They couldn't own property; they WERE property. Divorce was impossible. Wife beating was legal. An English judge said that was just fine, as long as the stick was no bigger than a thumb.

Traditional marriage meant marrying someone of the same religion and above all, the same race.

That's traditional marriage. But marriage has changed over time, and now it's time to change it again. Please support this bill allowing same-sex couples to marry.

Sincerely,
Tracey Bennett
939 Kawaiki Pl.
Honolulu, Hawaii 96825
Tracey2@hawaii.rr.com

From: [Gina Cardazone](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1: Relating to Equal Rights
Date: Friday, October 25, 2013 5:28:17 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

Hawaii is known for its diversity, tolerance, and promotion of families of all kinds. As such, it should be at the forefront of the marriage equality movement. Although the legislature has made some strides in promoting equality by allowing civil unions, we all know that separate but equal institutions cannot be truly equal. Now that the Supreme Court has removed barriers to federal recognition of same-sex marriages, the difference in benefits for couples who can and cannot be legally married in Hawaii are stark.

As a member of Dignity Honolulu, a group that advocates for acceptance of LGBT families in the Catholic church, I have been heartened to see progress in the Church's relationship with LGBT people. In particular, I am extremely appreciative of Pope Francis's statements about non-judgement, and recognition that the Church's obsession with sexual issues has been harmful. I wish that some of our local church leaders would heed his words, and open their minds to allow the same evolution in thinking that the Pope, the President, and millions of others have experienced in recent years. I wish that they could see the people that I see at Dignity services every week - kind and faithful people whose love is unquestionably a blessing from God. I have seen people who have been together for decades, through sickness and health and all kinds of hardship, while being denied recognition of the validity of their relationships and equal rights under the law.

The separation of church and state is necessary in order to preserve the integrity of both institutions. Religious liberty is a cornerstone of democracy, and it includes not only the freedom to practice the religion of your choice, but also the promise that the government will not make decisions based on preference for the religious beliefs of one group over another. We allow people to eat pork, cut their beards, and work on Sundays, even though there are people who believe that these things are sinful. If someone were to claim that it was necessary to prevent anyone from ever eating pork in order to preserve "religious freedom," we would instantly recognize this as a logical fallacy.

Just as the intrusion of religion on legislative decision making threatens democracy, so does the over-politicization of the church threaten its primary purpose of attending to the spiritual needs of its followers. The repercussions of this have been felt in many religious institutions, as many people, particularly younger people who overwhelmingly support equality for LGBT people, have become disillusioned with religious leaders that have been more focused on influencing politics and promoting discrimination than on true spiritual ministry. I believe that recognition of the sanctity of same-sex relationships is an important religious issue, and hope to see major changes in denominations that currently endorse inequality. However, I also believe that religious concerns should be wholly separated from legislative decisions. Legally, there is no justification for this kind of discrimination.

Please make Hawaii a welcoming place for all families.

Thank you for this opportunity to testify.

Gina Cardazone
1687 Pensacola St Apt 605
Honolulu, HI 96822

From: [Jim Henry](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 5:48:39 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I have been living in Hawai'i for only nine years, so part of me feels I have not yet earned the right to speak. Most likely, most of the people listening have lived here far longer and were perhaps born here. They have more of a "right" to speak than I.

On the other hand, from the day of my arrival, I have strived to "give back" to Hawai'i, because I feel such gratitude for the opportunity to live here. Here is how I give back: I teach the sons and daughters of Hawai'i, at the University of Hawai'i at Manoa, in my field of composition and rhetoric, whether preparing graduate students to teach writing or preparing undergraduate students to use writing in their studies and to prepare for their careers. It is hard work that entails hours and hours of reading, responding, and more reading to help students perform to their best.

This semester, I'm teaching first-year composition, and I find myself every Monday, Wednesday, and Friday in a room full of seventeen-year-olds who are nothing short of delightful. They're energetic, interesting, and full of respect—for one another and for me. They thus embody Hawai'i and remind me again and again of values such as aloha that were a part of this place long before any of us or our parents or grandparents or great grandparents set foot on this 'aina.

When we work together to improve their writing, we focus on argument and persuasion and the key components of (1) logic, (2) ethical appeal, and (3) appeal to commonly held values. I haven't asked them to write any essays on marriage equality, but if I were to do so, #1 is easy: logically, there is no reason to keep in place a legal category that discriminates among citizens, as the Supreme Court of the United States has already affirmed. The ethical appeal, #2, is more complex. I realize there are listeners who equate ethics with morality and whose personal morality is grounded in religious beliefs, unlike my own. I was reared in the Methodist church, but I left it in my late teens, after one too many occasions when, after a sermon on the teachings of Christ, we would exit the church and within moments I'd hear comments that denigrated those outside our religion, comments that seemed quite the opposite of what I had been taught—that what I had read—were the teachings of a man bent not on discrimination but upon love. So even though I left the church, I took what I think is its most important teaching: to treat EVERYONE I encounter, bar none, the way I would like them to treat me. This is sometimes referred to as the golden rule, and it grounds my ethics.

Finally, on the topic of commonly held values, #3, please consider this: it took me 50 years to meet my life partner, the man with whom I will spend the rest of my days until one of us dies. I'm 61, he's 68. So we are at ages when both of us know that either of us could go at any moment. We could be traveling, for example, in a state where law dictates that someone admitted to intensive care, perhaps on the verge of death, may be accompanied in the ICU only by a member of the immediate family. If it were I on my deathbed, the only thing in the world I would want would be to have him at my side. If it were he on his deathbed, I would find forced separation at that moment the most unbearable experience imaginable. I ask married heterosexuals listening now to consider your own situation and to ask yourself if you do indeed share my values.

If you do, please vote in the affirmative to allow marriage equality. We know from numerous polls that if those students I work with every day—that demographic from seventeen to thirty—were to vote on this issue now, they would overwhelmingly approve equality. It's logical, it's ethical, it appeals to our common values. Please show these young people—the future of Hawai'i—that you are voting on the right side of history.

Jim Henry
1258A Center Street
Honolulu, HI 96816

TESTIMONY BEFORE THE SENATE COMMITTEE ON JUDICIARY AND LABOR
RE: IN SUPPORT OF SB 1 -- RELATING TO EQUAL RIGHTS.

DATE: Monday, October 28, 2013, 10:30 a.m.

The Honorable Clayton Hee, Chair
The Honorable Maile S.L. Shimabukuro, Vice Chair
Hawaii State Senate
Committee on Judiciary and Labor
State Capitol
Honolulu, HI 96813

Dear Chairman Hee, Vice Chair Shimabukuro, and Committee Members:

Thank you for the opportunity to give personal testimony related to SB 1. I am Dr. Ashley Maynard and I serve as Professor and Chair of the Department of Psychology at the University of Hawai'i at Mānoa. While my testimony is informed by my profession and many years of training and research, this testimony does not necessarily represent the position of the University of Hawai'i.

I am a cultural developmental psychologist. I have studied the interrelationships of culture, contexts of child development, and healthy cognitive and social development of children for the past 20 years. I have published many articles and three books in developmental psychology. I have taught approximately 2500 students over the past 13 years in psychology courses. The most important thing I do in my job is to teach students to think critically. Critical thinking involves examining all the evidence—even evidence that we don't like—when weighing information about a subject. My field, Cultural Developmental Psychology, uses anthropology and psychology to look at the many healthy pathways to development in cultures all over the world, and it provides evidence related to the issue of civil unions for same-sex couples. Adults in societies around the world marry, form partnerships, or group together to organize social ties of co-residence, parental responsibility, and inheritance. Decades of anthropological and psychological research point to the clear conclusion that a vast array of family types, including those built upon same-sex partnerships, contribute to stable and humane societies.

Treating people equally contributes to that stability. Extending equal rights to same-sex couples is a way for Hawaii to extend the same privileges, rights, benefits, protections, and responsibilities of spouses in an opposite-sex marriage, and it is the correct thing to do. Research indicates that these benefits and responsibilities should be afforded to same-sex couples. These include both physical and mental health benefits. Not allowing same-sex couples these benefits is state-sponsored discrimination tantamount to the anti-miscegenation laws on the books in many states some decades ago. Research indicates that the experience of prejudice has long-term, pernicious health effects. Discrimination is not good for anyone.

SB 1 will provide rights, benefits, and responsibilities needed by many families in our state. Families in our state, our country, and indeed the world take on a wide variety of

adaptive forms, and the preponderance of evidence in the most reputable journals demonstrates that parents of the same sex are able to provide consistent, responsive, nurturing care to children as well as parents of the opposite sex. There is no evidence whatsoever that sexual orientation is related to one's ability to parent.

As a psychologist, I would like to respond to some of the claims made in opposition to this bill. Most of all, I want to make it clear that being gay is not a choice. It is all too easy for people who feel perfectly natural about their heterosexual orientation to claim that other people are making a choice not to be heterosexual. What these people don't experience is that it is just as natural for people who are homosexual to feel the way they feel.

You may hear an opinion that it is a confusing message to tell children when they grow up that it is o.k. to marry a man or marry a woman. The reality is that there are already same-sex headed families here in Hawaii and around the world. It *is* confusing to tell children that they cannot be who they are, or that they cannot love the person they love just because they are the same sex. Let's put this in perspective. We typically tell children that they can grow up to be anything they want in their professional lives. Yet no one seems to find that confusing, even when many of the jobs our children will grow up to do don't exist yet.

It *is* confusing and it does harm to society to keep perpetuating the myth that being heterosexual is the way that people are "supposed to be", because the reality is that there are people who are not, and it is not by choice. Perpetuating a false myth is confusing to people when they are confronted with the reality of so many people worldwide who are different from them. We must learn to deal with the fact that being gay is not a choice. We must tolerate diversity and do what we can to accept it.

The "doomsday" scenarios that have been presented by those in opposition to this bill (that passage will result in the end of "traditional" marriage and even the end of society) are not based in reality—a reality that includes a preponderance of evidence from history and from around the world. Indeed, these doomsday views are rather myopic. There is evidence dating back thousands of years that same-sex couples have existed as a part of stable societies. Furthermore, marriage between one man and one woman and the separate "nuclear family" is a rather recent and rare phenomenon on the planet. In fact, this is not the dominant form of marriage at all, today or throughout history. And it simply is not the case that "one man and one woman" has been the "dominant or traditional form of marriage for thousands of years." Indeed, for most of our history, humans have lived in groups with extended kin, not in isolated nuclear families. If we take a larger view of humanity, then, the actual traditional marriage is not at all what is dominant in the United States. Add to the discussion the evidence from countries and states where same-sex marriages are recognized, and we see very clearly that these societies have not fallen apart, and that opposite-sex couples continue to marry. It may be difficult for some to understand the importance of extending equal rights to all, but fear of change and an unlikely future not supported by any evidence must not be a reason to block equality. This bill does not redefine marriage. This bill recognizes the kinds of marriage already going on and it recognizes the equal rights of people of any gender and sexual orientation to marry.

As an educator I also wanted to comment on the worries presented by a recent panel on what might happen in sex education in schools. Sex education might be better called Family Life Education, and we can learn to remove gender from our ideas of parenting, and instead of teaching about a “mommy and a daddy,” we can just teach about “parents,” who can be of any gender. More inclusive, gender-free language will present children with a less-biased view of “how things should be,” and open their minds to acceptance of how things are. Why shouldn’t children be able to see their own families represented in Family Life Education? Children in same-sex headed households deserve to be part of the conversation. Let’s include all families. It’s the right thing to do.

Thank you for your consideration. Please vote Yes on SB 1.

Very truly yours,
Ashley E. Maynard, Ph.D

From: [kim.allen](#)
To: [JDLTestimony-InPerson](#)
Subject: Marriage Equality Testimony
Date: Sunday, October 27, 2013 6:20:54 AM

For several years I faced the immense challenges of caregiving for my wife, Theresa, who had cancer in a society and healthcare system in which we were not legally recognized as married.

Theresa was the love of my life. Being married to her, caring for her in sickness and in health, was the most meaningful thing I have ever done. She passed away in 2010. In planning for her memorial, I had to fight for her mother's permission to keep some of her ashes because we were not legally married.

It is so important to me that other same sex couples be allowed to marry and take care of one another without experiencing the additional social, financial, and systemic barriers that Theresa and I faced. I strongly support equal rights for LGBT couples and the Marriage Equality bill.

Mahalo,

Kimberly Allen
2922 Dole Street
Honolulu, Hawaii 96816
808-398-8199

From: [Kyle Lovett](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Sunday, October 27, 2013 7:18:00 AM

To: Senate Committee on Judiciary and Labor Hearing
Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place: Capitol Auditorium
Re: Strong Support of SB1, Relating to Equal Rights

Dear Chairperson Hee and Members of the Committee on Judiciary and Labor:

My name is Rev. Kyle Ann Lovett, and I serve as the pastor of Church of the Crossroads, United Church of Christ, in Honolulu. I am writing in strong support of SB 1 and of marriage equality for Hawaii.

Twenty-one years ago, Church of the Crossroads declared itself open and affirming – welcoming into the full life and leadership of the church lesbian, gay bisexual, and transgender people. The church has celebrated holy unions, civil unions, and marriages for same-sex couples in our congregation, and we would dearly love to celebrate state-recognized marriages as well. Many Crossroaders have already written to you in support of HB1 and I do the same, not speaking for the church but for myself.

Thank you for the chance to provide this testimony.

Many of my clergy colleagues have also written to you thoughtfully about their theological perspective on marriage equality, their clarity about justice in the civic realm, and their stories of loving couples in their faith communities whose enduring life-commitments need recognition. I hope that the many testimonies you have received – by email, phone, in person, and in the public media – have helped you see what we, in Christianity in particular, know: there is not unanimity of opinion among faithful religious leaders and people of faith about marriage equality.

Nonetheless, there is no question at all in my mind: God blesses committed couples, regardless of their sex, gender, orientation, race, creed, or any other life condition.

The state has a vested interest in the stability of family units. Families of all configurations – ‘ohana large and small - face so many challenges in our day. There’s less and less in the way of social support, resources, and encouragement to help families to be stable units of society. Anything the state can do to support, acknowledge, and enhance stable, loving relationships is a good thing.

Why does marriage equality matter to me?

I have had the honor of officiating at same-sex weddings in California during the window in 2008 and same-sex civil unions in Hawaii beginning in 2012. That’s in addition to officiating at opposite-sex weddings as well. I have spent countless hours with families of all configurations as they struggle to sort out their lives together and to find honor and recognition from institutions both secular and sacred. Like it or not, recognition of worth and our interrelatedness are communicated through social institutions like the recognition of marriage.

Just this past weekend I spent many hours with three couples visiting Hawaii from California, here on vacation right now. One couple had already decided to get married here (in Maui), and the other two couples are seriously considering doing the same – inviting their friends and family from all over the United States and the world to meet them in Hawaii, to celebrate their lifelong commitment to each other. Of course, they can only do so if Hawaii enacts marriage equality.

Members of the church I serve flew to California last month to get married. Why? One of the women serves on active duty in the military, and their Hawaii Civil Union still didn’t allow her spouse to be recognized by the Navy. I’m sure you know that the military has granted 10 days of uncharged leave to same-sex couples who serve in states

that do not have marriage equality, so they can travel to states where marriage equality exists, to get married. This couple from the church I serve is just one example of the flood of people going elsewhere for their weddings, taking their travel, hotel, and celebration dollars with them—as well as the joy of their love and the memories of their wedding. I wouldn't be so crass as to argue for marriage equality in Hawaii just on economic impact alone, but it surely is a factor for a state with such a high percentage of its economy based on tourism.

The state decides which relationships it will recognize based on the state's interest. Religious groups decide which relationships they will consecrate, based on the faith group's values and teachings. You all are to be commended for having crafted legislation that masterfully allows the state to act in its best interest (and consistent with the recent Supreme Court ruling overturning Section 3 of DOMA), while also allowing religious organizations to decide for themselves how broad or narrow their ceremonies will be.

Please do not modify the exemption for churches and religious institutions, lest we codify discrimination.

Hawaii recognizes the complexity of family ties, of 'ohana, better than most states. Please do pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Sincerely,

Rev. Kyle Lovett



HONPA HONGWANJI MISSION OF HAWAII

OFFICE OF THE BISHOP • 1727 PALI HIGHWAY • HONOLULU, HAWAII 96813 • PH: 522-9200 • FAX: 522-9209

Senate Committee on Judiciary and Labor, SB1,
Monday, October 28, 2013, 10:30 a.m.
Auditorium Capitol Auditorium 415 South Beretania Street,
Testimony-In Person

Re: Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I would like to express my strong support of Senate Bill 1. The Honpa Hongwanji Mission of Hawaii is the largest Buddhist denomination in Hawaii with 33 temples throughout the State. For nearly 125 years, we have been sharing the message of an All-Inclusive Wisdom and All-Embracing Compassion which aspires for the peace and happiness of all existence. Guided by Great Wisdom and Compassion, we are encouraged to equally respect all people. The Honpa Hongwanji Mission of Hawaii's support of marriage equality is based on the equality of all people.

We believe that marriage equality is a basic civil right of any person. Further in any relationship, what is most important are the commitment, respect and trust that people bring to the relationship. The choice to marry the person you love is a freedom that should not be denied to anyone. Gay and lesbian couples wish to marry for similar reasons as anyone else – to make a lifetime commitment filled with love and fidelity to the person they love.

I believe that religious freedom is adequately protected by the bill. It is clear that no member of the clergy will be required to perform a wedding ceremony with which he or she does not agree. On the other hand, the passage of the bill will provide clergy the opportunity to marry all individuals who are deeply committed to each other. It is clear that some religious denominations will perform marriages for same-gender couples, and some will not, just as some houses of worship perform interfaith marriages and some will not. This bill does not change this fact.

This bill expands religious freedom and rights to more people in our Nation through our State. I believe it is in the spirit of our great Nation and our Aloha State to welcome, embrace and provide for all people. I know our ministers would welcome the opportunity to perform weddings for same-gender couples as it also affirms our spiritual values. True Compassion and Aloha includes all!

I humbly ask for your support for same-gender couples having the right to marry in Hawaii.

Thank you for this opportunity to testify.

With gratitude and respect,

Eric T. Matsumoto

Bishop

Honpa Hongwanji Mission of Hawaii

From: [eileen mckee](#)
To: [JDLTestimony-InPerson](#)
Cc: [Sen. Roz Baker](#)
Subject: Strong Support SB1, Relating to Equal Rights
Date: Sunday, October 27, 2013 8:02:03 AM

To: Senate Committee on Judiciary and Labor
Hearing Date: October 8, 2013, 10:30 am
Place: Capitol Auditorium
Re: Support SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and labor:

I am writing in strong support of marriage equality in the state of Hawai'i.

After being together over 19 years, my wife and I were married in New York City on 11/4/11. A couple of days after that ceremony, one of us began the conversation of, "Do you feel different?" Even after being together for 19+ years, the commitment of marriage changed our feelings regarding our relationship. We tried to name this new feeling, and words like, "foundation," "solidness," "impenetrable," "untouchable," and "protected" kept coming up in our conversation. We had these new feelings even though DOMA had not yet fallen. There was a new strength to our relationship, a commitment that seemed even stronger than our 19 years together. This is an aspect that neither one of us anticipated.

There truly is a "steadfastness to this sturdy foundation" that is connected with marriage. This right should be available to all. Until the Supreme Court provides a ruling like that of the 1967 *Loving vs. Virginia* case that allowed interracial marriages throughout the United States, we must press for this right at the state level. I know in my heart that Hawai'i is ready to do what is pono to provide dignity to a minority that has been oppressed for years.

Let's finish the work that the State of Hawai'i started back in 1993; pass SB1.

Eileen McKee
279 Alaume St.
Kihei HI 96753

From: [Deborah Cohn](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong Support SB1, Relating to Equal Rights
Date: Sunday, October 27, 2013 8:13:56 AM

Dear Chair Hee and Members of the Committee on Judiciary and labor:

My name is Deborah Cohn, and I live on Maui. I strongly support SB1 today to express what marriage equality means to me and my family

Next Monday, my wife and I will be celebrating our second wedding anniversary (we got married in New York City). I can't begin to express the feelings we felt that day. We had no idea that after almost 20 years together we would feel so different, so formable - a family, accepted by family, friends and society - dignity to our relationship.

But what happen to us upon our return home to Hawaii caused us to remember those old feelings again - our dignity slipping away again. Our marriage meant nothing to state of Hawaii. 2 months later our marriage was turn into a civil union. We didn't want a civil union, after 20 years together we wanted a marriage. So now here we are again but this time we have the support of the President of the United States, the Hawaii congressional delegation and it appears to be all of our Maui house reps and senators our family and friends - all wanting our marriage to be recognized.

Why does our marriage bother you? Our marriage agenda is the same as yours: love, commitment and family.

Now, each of you has an opportunity to right a wrong that has suppressed our community and made us feel less than equal. I ask you to stand up for marriage equality today.

Today, you have the power to be on the right side of history and show the rest of our country what America is all about.

I ask you now why is my marriage not as equal as yours and why doesn't my wife and I

deserve the dignity and respect that straight couples in this great state receive.

It is time now for marriage equality!

It is time now for our home state of Hawaii to recognize our Marriage as a marriage and not a Civil Union because it's the right thing to do!

Deborah Cohn

279 Alaume St.

Kihei, HI 96753

From: [Russell Pederson](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Saturday, October 26, 2013 8:36:04 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

Eternal damnation; or Eternal Salvation?

Marriage is essential to the Christian belief that sex before marriage is wrong, and that one needs to be married in the eyes of the law and God in order to preserve our souls from hell. This is why this bill is so important to so many people.

Shortly after September 11th, and after watching my mother during her passing from Multiple Sclerosis, I moved here to Hawaii. She was my rock, my salvation, and the closest person in my life. I moved here to follow in her footsteps, because she was a school teacher in Kahuku, and to get away from drugs, an empty, affection less father, and to BE MYSELF. Because, I have same sex attraction.

I saw Hawaii as a place where one with same sex attraction could express themselves without repercussions, without prejudice, and without shame. Unfortunately, this is not entirely true; although one with same sex attraction can be welcomed by the Hawaii Ohana with Aloha, we still lack the right to marry our loved ones under the law, so as to fulfill our religious beliefs that to be married is the only way to be able to have sexual relations without fear of eternal damnation in hell.

Please, allow us to practice our religion, and practice our personal choice of whom to love, and save us from the feeling that we'll be damned for having same sex attraction. Please, pass this bill, and allow us the freedom to marry whom we love, and to be at peace with our Heavenly Father.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Russell Pederson
950 Laki Road
Honolulu, HI 96817

SENATE COMMITTEE ON JUDICIARY AND LABOR

Hearing Date: October 28, 2013
Hearing Time: 10:30 a.m.
Place: State Capitol Auditorium

To: The Honorable Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

From: Tambry R. Young

Regarding: S.B. 1: RELATING TO EQUAL RIGHTS - Testimony in STRONG SUPPORT

Aloha Chair Hee, Vice Chair Shimabukuro and Members of the Committee:

My name is Tambry Young and I am asking you to support the passage of SB1. I am a mother, a native Hawaiian born and raised in Hawaii, a small business owner and have been committed to Suzanne for the past 32 years. On November 13, 1999 Suzanne and I, along with our families and many friends, celebrated the birth of our daughter Shylar. Before we had Shylar, Suzanne and I, as most LGBT couples, went about our lives, finishing college, building our professional careers, participating in organized community activities, basically living our lives supporting each other and maturing together.

In 1996, Suzanne and I decided that we wanted to have a child. This decision came with much thought and consideration - what options we had in conceiving her, how we would raise her, could we financially handle having a child, and what would she face as a child being raised by two mothers. For many couples who decide to have children, some of these questions may be similar. For Suzanne and me, the primary considerations were how do we ensure the safety and well-being of Shylar. From the moment she was conceived we began looking into what we needed to do to accomplish this.

In 1999, we began the legal process of a same-sex co-parent adoption, which would give both the biological parent, me, and the same gender non-biological parent, Suzanne, the same parental rights to Shylar. We assumed this process would take many years, because at that time there had been only one other case in Hawaii that had taken place. Our hope was that by the time Shylar began kindergarten, a decision giving us a same gender co-parent adoption would be granted. Fortunately after careful consideration by the Family Court judge in 2000, we were granted the adoption. At this point we believed we had become a family just like everyone else.

However, this was not the case. In many instances we would have to show Shylar's birth certificate to show parental status. Carrying around her birth certificate was essential to show our status. While in emergency situations, we have been denied joint access to Shylar because authorities said they only allow parents in the room at the same time. While the few paragraphs above may seem off topic, the

discussion of our real life experiences is important to the understanding of what is being considered in SB1.

I am fully aware of, and can accept how many people feel that it is a lifestyle choice or that it goes against their religious beliefs. I can also give you my thoughts on why this was not a choice for me and religious scholars can give you passages within the context of religion supporting the passage of this bill. But I am sure you have heard it all before. My justification for the passage of SB1 comes from a very simple place, from the eyes of our daughter.

On November 7th 2009, after 28 years together and with Shylar who was 9 at the time, Suzanne and I were married in Salem, Massachusetts. During the 2009 fight for Civil Unions (CU) here in Hawaii, our focus was about securing the rights, benefits, responsibilities and protections that would be provided in a CU law.

Shylar attended legislative hearings, rallies and meetings relating to the CU movement at that time and our discussions with her focused on why it was important that families like ours received all the rights that other families received. We believed that Shylar felt we were just like all the other families in her class and we believed she felt that her family was being treated like all the other families in her class.

However, on November 8th the day after we were married in Massachusetts we purchased an item at a Boston mall and Shylar questioned Suzanne about why she was not signing her name as Suzanne Young because we got married yesterday and we are all Young's now. This is when we realized that being married meant more than just being granted rights; it was, to Shylar, a symbol of what made us a family.

Shylar is now 13 and turning 14 in November and celebrated the passage of CU in 2011, with many here in Hawaii. As we have seen her grow and mature into a teenager we know that she realizes our marriage is not being treated the same as others and unfortunately, she is aware of the difference between a civil union and a marriage.

Throughout this current marriage equality movement there has been discussion about the negative impact of it on children. I can assure you that the impact of the passage of marriage equality in Hawaii for our daughter would only be positive. For Shylar, passage of this law would validate her family, would make her feel she is just like other families in her class and uphold the principles of civil rights that she is currently studying.

Again I ask for your support of SB1, and thank you for the opportunity to testify on this law that will have a major impact on Suzanne and me, and a very positive impact on our daughter Shylar.

From: [Michele Nihipali](#)
To: [JDLTestimony-InPerson](#)
Subject: SB1
Date: Saturday, October 26, 2013 9:10:03 AM

Aloha Committee on Judiciary and Labor:

The Supreme Court has ruled that denying same sex couples the benefits of marriage is not legal. Discrimination is never acceptable and the public should not be allowed to "vote" on discrimination. If public sentiment was allowed to dictate equal rights issues, women would never have been allowed to vote, African Americans would still be slaves, there would be no "interracial" marriages allowed and the "plantation era of forced labor would be in effect here in Hawaii.

Religious beliefs are just that, beliefs. Our nation guarantees that we have the freedom to express our beliefs and that we are all created equal. In the coming days, don't let beliefs sway your decision to protect equality. You are charged with protecting and extending legal rights to all citizens of Hawaii. The right to join in marriage is one of those legal rights. Show the nation and the world that Hawaii does not tolerate discrimination.

Thank you for your consideration in this matter,

Michele Nihipali
54-074 A Kam Hwy.
Hauula, HI 96717
293-1522

From: [Sally Waitt](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Saturday, October 26, 2013 9:11:26 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love. We must realize that we are who we are, and that we all deserve equality.

Throughout my years of teaching, I did my best to guide students in the importance of consideration, fairness, and kindness. For many of the early years, I was unaware that much of the teasing, taunts, and bullying was directed against students who were suspected of being lesbian or gay. But, then it all changed as students began to confide more of their personal issues. Some told of how terrified they were that their parents would find out they were "gay". Then, in the 1990's, a boy told me that his father threatened to kill him if he were to find out that his son was gay. He begged me not to say anything, because he would soon graduate and could move. It was then I realized how important it is to be sure to recognize all people and families as equal under the law. In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Sally Waitt
PO Box 492757
39th Street at Laniuma
Keaau, HI 96749

From: [David Lyman](#)
To: [JDLTestimony-InPerson](#)
Subject: SB 1 testimony
Date: Sunday, October 27, 2013 9:14:30 AM

To the Committee on Judiciary and Labor
Regarding measure number SB 1 Relating to Equal Rights
Date: October 27, 2013
Time: 10:00 am
David Lyman, a resident of Honolulu, testifying in person.

Aloha. Mahalo for being brave enough to stand for those who are less fortunate than you.

The civil rights bill, SB 1, will finally provide legal equality to a persecuted minority group. How many of you know a person who is gay, lesbian, bisexual, or transgender who has lost a job due to their orientation? Who has lost or housing? Who has been excluded from their family? Who has been bullied or beaten? Friends of mine have experienced all these things. GLBT people today are systematically persecuted, and you have the ability to fight that persecution today.

I am very happily married to a woman, and I love her very deeply. This affords me privileges denied to many Americans. I cannot imagine the depth of pain I would feel if the law prevented me from fully participating in a relationship with her.

Most Hawaiians believe it is time to extend equal rights to all citizens. The percentage of people who want marriage equality grows constantly. In a few years public opinion will be even more in our favor. Your children will be shocked to read in history books that so many Americans wanted to legally discriminate against a persecuted minority group.

You have the chance today to vote to be on the right side of history. You will be able to say to your keiki that you stood for fairness, equality, and a basic right to happiness for all. As my dear departed sister-in-law, who ran an LGBT student advocacy group, proclaimed, "The only right time for equal rights is right now."

Mahalo.

INTERNATIONAL SISTERHOOD OF WITCHES AND AMALGAMATED MAGICKS

October 27, 2013

Yngvildr Blzpaeth, G.M.
Int. Sisterhood of Witches and Amalg. Magicks, Local 665
P.O. Box 1901
Honolulu, HI 96805

Re: S.B. 1, Relating to Equal Rights

Hail and Gesundheit,

The International Sisterhood of Witches and Amalgamated Magicks, Local 665, ascends in strong support for the passage of Senate Bill 1, Relating to Equal Rights. This unholy union was formed through the recent merger of the International Sisterhood of Witches, Wise Women, and Sorceresses and the Consolidated Honorable Order of Amalgamated Magicks, Wizards, Seers, and Mystics, as you probably know.

Although many have claimed that legal recognition of civil marriages between same-sex couples is supported by the Prince of Darkness, we would like the Legislature to know that through a recent communion with the Evil One, we Sisters have learned that he has no opinion on same-sex marriage, as he takes more souls from heterosexual people already.

On the other hand, the federal tax benefits and state law protections that same-sex couples would gain through the passage of Senate Bill 1 would greatly aid local members of the International Sisterhood. Although most lesbians are not witches, most witches are lesbians and consequently they face constant discrimination against both their craft and religion.

Thank you for your support of organized labor and the interests of the worthy members of the International Sisterhood of Witches and Amalgamated Magicks.

So it is Written,

Yngvildr Blzpaeth
Grand Mistress, Local 665

D'AMATO & MALONEY
A LIMITED LIABILITY LAW PARTNERSHIP
PIONEER PLAZA
900 Fort Street, Suite 1680
Honolulu, Hawai'i 96813
(808) 546-5200; 546-5203(f)
www.benefitslawyers.com

October 26, 2013

Via Fax: 586-7334

Senate Committee on Judiciary and Labor

Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.

Place: Capitol Auditorium

RE: Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

This urges you to vote in favor of SB 1, Relating to Equal Rights.

This issue is one of civil rights. Today, Gay and Lesbian couples may enter into civil unions, and enjoy all the benefits of marriage under Hawai'i law. Yet they may not call themselves, "married." This difference is crucial. It means that their relationships—their families—are second class families and that they are denied the respect and recognition to which they should be entitled.

In the *Windsor* case, the Supreme Court announced that the Federal government may not establish a two tier system and relegate Gay and Lesbian couples to the second tier. What the Federal government may not do, the Hawai'i State government also may not do. The time has come to make Hawai'i law *pono* and to afford Gay and Lesbian couples full rights to participate in Hawai'i's society on the same footing as heterosexual couples.

It is said that the People should decide this issue. But if the State may not establish a two tier system and relegate Gay and Lesbian couples to the second tier, neither may the People. Deferring action on S.B. 1 would simply subject the State to years' more litigation and Gay and Lesbian families to years' more discrimination.

It is said that allowing Gay and Lesbian couples to call themselves, "married," will infringe on religious liberties. But S.B. 1 does not require anyone who believes that marriage may only be between a man and a woman to change their beliefs. It establishes only that private, religious beliefs about who may marry, and who may not marry, are not and cannot be the basis of public law.

It is said that allowing Gay and Lesbian couples to call themselves, "married," will fundamentally change society in the State of Hawai'i. But through civil unions, Gay and Lesbian couples already have access to all of the rights and benefits of marriage under Hawai'i

law. Further, Gay or Lesbian couples may now go to any of the 14 jurisdictions in the United States in which same sex marriage is permitted, marry in such a jurisdiction, and return to Hawai‘i as married couples. Denying Gay and Lesbian couples the right to marry under Hawai‘i law, does not keep any such couple from marrying. It merely denies them the comfort of marrying in the State of their home and knowing that their personal commitments to one another are recognized in that State for what they are—“marriages.”

Both ancient and modern Hawai‘i Government is based on the Law of the Splintered Paddle—the recognition that Government’s most important function is that of protecting the rights of citizens.

Rarely do leaders have the opportunity to make a fundamental and historic difference in people’s lives. Please take this opportunity to make marriage equality the law of this State.

Thank you for your consideration,

s/John D’Amato

From: [Charlotte Huszcza](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Sunday, October 27, 2013 10:03:56 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Charlotte Huszcza
92-966 Makakilo Dr. #50
Kapolei, HI 96707

From: [derrick morita](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 10:05:11 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

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Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

derrick morita
235 nonou st
honolulu, HI 96825

From: [Kory Rosette](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 10:06:07 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

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Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Kory Rosette
722 Maluniu Ave
Kailua, HI 96734

From: [Kimberly Washington](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 10:12:54 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Kimberly Washington
180-2 Noke St
Kailia, HI 96734

From: mailinglist@capitol.hawaii.gov
To: JDLWebTestimony
Cc: isaiahchong@yahoo.com
Subject: Submitted testimony for SB1 on Oct 28, 2013 10:30AM (In Person)
Date: Tuesday, October 22, 2013 7:05:41 PM

SB1

Submitted on: 10/22/2013

Testimony for on Oct 28, 2013 10:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Testifying in Person
Isaiah Chong	Individual	Support	Yes

Comments: "We will never have true civilization until we have learned to recognize the rights of others." That is a quote from the late Will Rogers, and it stands true to this very day. To whom it may concern, this herein is my humble and honest opinion, the opinion that I would like to share with ye. On June 12, 1967, the United States Supreme Court made a historic ruling in Loving v. Virginia, in the chief justice's opinion for the unanimous court he said, "[m]arriage is one of the `basic civil rights of man,' fundamental to our very existence and survival...." Now on June 26, 2013, the US Supreme Court made two more historic rulings, they ruled on the side of equality by striking down section three of the Defense of Marriage Act and reinstating a previous ruling on California's Proposition 8. But it is you all, our elected representatives, who in Hawaii, constitutionally, have been tasked with making this decision; a decision that should not be taken with a grain of salt. In 1993, the Hawaii Supreme Court made a first of its kind ruling in the world, and I need not quote it, because I am fairly sure ye have read it or heard about it. But I do ask the Hawaii legislature and its committees to legislate on the fair side of the law and court rulings. May we focus for a moment on the many armed forces members in Hawaii and let us remember the situation of US Army Chief Warrant Officer Charlie Morgan, a lesbian service member, who was married in New Hampshire, and died before the DOMA repeal, her wife's survivor benefits were delayed. Since the ruling on DOMA, deceased service members' same-sex spouses, will receive the survivor benefits if they and the deceased person were legally married; Hawaii at this time does not allow same-sex marriage, and because of that we put our gay and lesbian soldiers, marines, airmen, sailors and coast guards and their families at risk. Should our brave defenders die, their same-sex spouses will not receive any federal benefits because a civil union, as similar as it may be, is not a marriage, and those in civil unions aren't eligible for any federal benefits. Must we keep denying our military men and women, who risk their lives, a basic human right? Must we continue denying the residents of Hawaii a basic human right? Hawaii has always been very diverse, welcoming, and open: Why should our legislature not recognize it as such? Though many religious leaders, including The Right Reverend Robert Fitzpatrick, Bishop of Hawaii (Anglican Communion,) have spoken in support or signed petitions in support of marriage equality, others have spoken against it. When debating same-sex marriage, our

legislators must remember that their faith has no place in legislation and they must remain secular and do what is best, just, and fair for the people of Hawaii. When elected, you all were tasked with passing legislation that is in our best interest, those laws must be in line with the basic law of the United States, the US Constitution, and in line with the basic law of Hawaii, the State Constitution, both constitutions prohibit discrimination and the Hawaii Constitution tasks the legislature to decide on the definition of marriage. By virtue of our two constitutions, it is the responsibility of the legislature to pass marriage equality because not allowing it is a form of discrimination and it is a sad, pathetic, miscarriage of justice! I have spent my entire life in the Moku'aina o Hawai'i, I have seen people of all races, cultures, and faiths together in harmony. Hawaii, in my opinion has never been a discriminatory place. But unfortunately, I'm wrong, Hawaii is discriminatory... By denying same-sex couples the right of marriage, it is discriminatory. I live in paradise, I want to continue to live in paradise. I would love to continue to share the paradise I live in with holidaymakers, engaged couples and newlyweds, and we would have more people from each of those groups coming to Hawaii if we had marriage equality. Many couples travel to our 'aina to wed each year, they have the well dreamt of and fantasized wedding in Hawaii, even same-sex couples dream of a Hawaiian beachfront wedding, why should Hawaii deny them the right to fulfill their dreams!?

Aloha: Aloha means hello, it means good bye, but most importantly... It means love, we are the Aloha State, we must live up to our state's nickname! In 1998 the residents of Hawaii appointed the legislature to make decisions of marriage, now my elected representatives and senators, it is time for you to do as the people of Hawaii voted for, it is time to end the discriminatory restrictions on marriage. Any of you reading this may disagree with same-sex marriage for your own personal reasons, be it upbringing, culture, faith, or any other particular reason... But it is your reason, should you let your opinions and/or reasoning affect others? Any person's opinion in objection to marriage equality, sir or ma'am, is not of any value to a couple in a loving relationship who seeks to marry; They see the love of their life before them, their soul mate, most importantly the one they want to marry. As I write this testimony, my eyes fill with tears, as I imagine the suffering same-sex couples seeking to wed feel, the immense sadness and hopelessness. Honorable members elected to represent us, I ask that you think of your wedding, or a wedding you've attended, I would like you to picture how happy the couple was on that day, I further ask you to think of the countless tears that are shed daily, by loving couples who are forbidden to marry in this state. I simply close in saying: Honorable Members of the House, Honorable Senators, ye took an oath to protect and defend the constitution of the US and Hawaii, how are ye defending it? To defend it, is to defend the parts of it that is recognized as demanding all people be treated equal, if a man and a woman can wed, equally a woman and a woman should be allowed to marry, same goes for a man and a man. As the old saying goes "what is good for the goose, is good for the gander." What is allowed for a straight person, equally, must be allowed for a gay person. Not long ago a white man was not allowed to marry a black woman; not long ago Rosa Parks was forced off her seat on the bus, under arrest; not long ago young Matthew Shepherd lost his life because he was gay... Today interracial marriage is not only allowed, but fully embraced; Today a black woman may gladly and proudly sit anywhere she pleases; Sadly, gay young men and women, are still bullied and tormented, how can we, as a society, denounce bullying and homophobia if our laws

still reflect inequality? Inequality is bullying-by-law! Don't be bullies, be parliamentarians, statesmen and women, serve your community and serve the greater good. Ua mau ke ea o ka 'aina i ka pono, our state's motto. It means "the life of the land is perpetuated in righteousness," my elected legislators, I ask you humbly to look in to your hearts, and to perpetuate righteousness through legislation. Mahalo, Isaiah Nahaku'okeola Chong.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Senate JDL Committee
Public Hearing, 10/28/13, 10:30 am
SB1: **Support**
In-Person Testimony: Alan R. Spector, Kaneohe

Members of the Senate JDL Committee:

Thank you for allowing me to testify today in strong support of SB1, Hawaii's Marriage Equality Bill. I am Alan Spector and I live in Kaneohe with my husband, Jon-Paul Bingham. I am the Co-Founder of Equality Hawaii and led the organization from 2007-2011. I have testified before this committee many times, but always on behalf of Equality Hawaii. This is the first time I am sharing my personal story.

Imagine getting married to the person you love. This is the happiest day in your life. At the conclusion of the ceremony, your parents hug your spouse and say, "Welcome to the Family." Now imagine, shortly after your marriage, your spouse is at risk for being deported from the USA and you have absolutely no legal recourse since the Federal Gov't doesn't recognize your marriage, doesn't recognize your status as family, and considers you absolutely nothing to each other. How would you feel?

Well that was me after I fell in love with and married an Australian, Jon-Paul Bingham, who was in the USA doing a post-doctoral fellowship at UCSF. He was in our country legally on a special work visa sponsored by the university. Unfortunately, due to an unanticipated loss of funding, his position was eliminated. No employer sponsor = no visa = return to Australia. This was the predicament we found ourselves in just after our wedding. It was a catastrophic tragedy. Of course, if we were an opposite sex couple, our marriage would have been recognized and I would have been able to sponsor my foreign-born spouse for US Permanent Residency, aka "Green Card." But since we were considered legal strangers and our marital status was not recognized, we were at serious risk for being separated.

I did what any loving husband would do. Separation from Jon-Paul was not an option and I would stay with him at all costs. We got lucky. Unlike most couples in our situation back in those Pre-DOMA repeal days, we weren't separated. My husband was able to obtain a new post-doctoral fellowship at another university, however, it required a cross country move. So off I went, sight unseen, to New Haven, CT. This enabled us to stay together, however, it was a great sacrifice. Not only were we dealing with the adjustment issues of any newlywed couple, we were doing so in a new environment, with no support system, and with me being unemployed. To make matters worse, I had to cope with a range of feelings of loss and anger associated with this forced move and invalidation by my country.

Alan R. Spector, continued, page 2 of 2

Our love enabled us to make the best of a bad situation and we built a new life for ourselves in Connecticut. Unfortunately, just three years later, it happened again when his laboratory decided to relocate to another university, 400 miles away in another state. It was either move with the job or Jon-Paul would lose his H1-B visa. So move again we did, only this time the adjustment was much harder as I became unemployed and couldn't find work in my field for 1.5 years. Eventually, due to his scientific research, my husband was able to apply for Permanent Residency as a self-petition based on the criteria of "Outstanding Researcher" and obtained a green card in 2005. We subsequently moved to Hawaii in 2007 when he was recruited by UH.

Fast forward to 2013 and the United States Supreme Court has repealed DOMA. Same-sex married couples are now treated the same as opposite-sex married couples under federal law. Our marriages are recognized and we are considered family under immigration law. But these rights don't extend to couples in civil unions. I am asking this committee to please pass SB1 so no binational same-sex couple in Hawaii will have to be faced with a similar ordeal as Jon-Paul and me.

Mahalo for your time.

From: [Donald Munro](#)
To: [JDLTestimony-InPerson](#)
Subject: Marriage Equality
Date: Tuesday, October 22, 2013 7:52:24 PM

My partner and I have lived together for 47 years. He is a WW2, Normandy Invasion Veteran. I served in a Middle Eastern War in the British Army. I immigrated to the United States in 1966 and became a citizen in 1972. We vote in every election. We are small independent business men who have employed many people over the last 47 years. As such, we have paid a lot of taxes. We belong to community organisations. I am my neighborhood's Security Watch co-ordinator.

We are model citizens but, where marriage is concerned, we are treated as second class. We are 92 and 76. At these ages, the protections and privileges of Marriage are very important but we are denied them because we are homosexual. We didn't ask to be homosexual. We didn't decide to be homosexual. We were born homosexual - just as other people were born heterosexual.

The medical establishment of the United States confirms that this is not a matter of choice.

Why then are we denied the equal rights that the constitution guarantees us. Our marriage poses no danger to heterosexual marriage. In fact we have already lived together for far longer than the majority of heterosexual marriages and religion has nothing to do with Constitutional rights. Religion is a matter of private belief and in no way overrules the Constitution.

The elected representatives of the people are elected to PROTECT the rights of all the people and not just some of the people.

Donald Munro

My name is Kent West and I am 49 years old. My partner and I just celebrated our 22nd anniversary of being together. That is 22 years that we as a couple have been denied access to 1,000+ benefits and privileges, including protections under the law, that are currently exclusive to traditionally married couples.

My partner and I are American citizens, born and raised in the "good ole U.S. of A." We both have been working since the age of 15, and we continue working to this day as productive and contributing working class American citizens earning our hard earned paychecks, as well as paying our fair share of taxes. Of our combined 68 years of being in the workforce, the taxes we have paid have contributed to the coffers of both the State and Federal Governments, and yet we are denied equal access to 1,000+ benefits, privileges and protections of marriage that our tax dollars fund on both the State and Federal level.

As a direct and immediate result of the opposition to Marriage Equality, American born citizens are being denied the right to equality. The very rights defined by the forefathers of this great country:that all men/women are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

The rhetoric from the opposition to Marriage Equality is that this is an all-out effort to redefine the 'Institution ' of marriage. It should be unequivocally clear and understood that this is in no way an effort to redefine marriage. This is simply and exclusively about equality and equal access to 1,000+ marriage benefits, privileges and protections that are provided by both the State and Federal government.

The rhetoric from the opposition to Marriage Equality is to 'Let the People vote'. Historically American voters have proven themselves inconsistent in voting on Civil Rights Issues, especially ones that are as sensitive as this. Ultimately it has been the Government that has had to make the final decision. This is fact.

The rhetoric from the opposition to Marriage Equality is that they don't wish to have this 'forced into their lives', yet their current opposition to me and my partner marrying is forced into our lives every single day whether we like it or not.

Let me ask the opposition and the voters this. How does you marrying the person that you love, directly or indirectly impact the quality of my life? How does me marrying the person that I love, directly or indirectly impact the quality of life for you and your family? The answer is it doesn't. However, the oppositions current stance on me marrying the person that I love directly and indirectly impacts the quality of my life, my partner's life and our families lives, every single day.

Do you know how it feels to NOT have equal rights, as promised under the law, as American born citizens? My partner and I do. Do any of you know how it feels to fear not being able to be there for your loved one in the event they are incapacitated? My partner and I do. Do any of you know how it feels to fear losing everything you and your loved one has built together in the event of a death? My partner and I do. Do any of you know how it feels to feel like you don't count or matter or like you are a non-citizen? My partner and I do. Do any of you know how it feels to be excluded? My partner and I do. We experience all of this every minute of every day of our lives as a direct result of individuals like those who are opposed to Marriage Equality. To them I say,

put yourself in our shoes and spend just 1 day living in our fears and see how it makes you feel.

It is time that we stop living in fear. Hate is not a family value. Love is.

Being gay or straight is not something that someone just decides to be. Everybody is born just the way our Creator has made us. To NOT move Marriage Equality forward would send the message that it is okay to continue to perpetuate hate, intolerance, bigotry, judgment, exclusion, non-acceptance and to self loathe who you are not only as an individual but also the community and your fellow citizen.

Hawaii and the Aloha spirit have been part of me and my partner's lives for 22 years, ever since we first came to the islands in 1991. We traveled to and from Hawaii for 12 years, knowing that one day we would be kama'aina. We have been kama'aina and taxpayers for over 10 years now, lovingly embraced, accepted and hanai'ed by a multitude of amazing and beautiful people, except by those who oppose Marriage Equality.

It has always been a priority for both of us to foster, embody and practice Aloha daily in our lives.

What is Aloha?

A-Akahai, meaning kindness to be expressed with tenderness

L-Lôkahi, meaning unity, to be expressed with harmony

O`Olu`olu, meaning agreeable, to be expressed with pleasantness

H-Ha`aha`a, meaning humility, to be expressed with modesty

A-Ahonui, meaning patience, to be expressed with perseverance

This is why we live in Hawaii. This is why we live in the Aloha state.

It is time for each one of us individually, as well as everyone here collectively, to remember what being in Hawaii and what being Aloha is about. Aloha is about community. Community is Common-Unity. Aloha is about ohana. Ohana is family. Aloha is about inclusion, not exclusion. Aloha is about diversity, not intolerance, nor bigotry, nor hatred. My charge to all of you here today is to embody and begin practicing from this moment forward, the meaning of Aloha. Our charge from our universal Creator is to love one another.

Moving Marriage Equality forward in Hawaii nei is the pono thing to do. Marriage Equality is not about redefining or renaming the institution of marriage. It is simply about equal access to 1,000+ benefits, privileges and protections that become available to couples when they take vows to be partners in life.

Now is the time for Hawaii to demonstrate to the world what Aloha really means by passing Marriage Equality for everyone.

Ho'o maika'i ke akua

From: LCicotello@Gmail.com
To: [JDLTestimony-InPerson](#)
Subject: Testimony in SUPPORT of SB1
Date: Tuesday, October 22, 2013 10:57:54 PM
Importance: High

Testimony in SUPPORT of SB1

Hearing: 10:30 a.m., Monday, Oct. 28, 2013, Auditorium, State Capitol

Aloha Senator Hee, Senator Shimabukuro, Senator Ihara, Senator Solomon,
Senator Galuteria, Senator Slom and Senator Gabbard:

Mahalo for this opportunity to testify before you this morning. My name is Laurie Cicotello and I flew here from Kaua‘i to testify. I come before you today in Full Support of Senate Bill 1 to legalize Same-Sex Marriage in Hawai‘i. I represent COLAGE, which envisions a world in which all children of LGBT families are valued, protected, reflected and embraced by society and its institutions.

I strongly believe unions between two consenting adults should be treated equally under the law and as protected by the United States Constitution and upheld in a recent SCOTUS ruling. Senate Bill 1 would provide the same rights, benefits, protections and responsibilities to partners, regardless of their sexual orientation. Children of same-sex couples are currently without many of the family protections and benefits provided to children of opposite-sex couples. Families like mine and their children will benefit from the passage of Senate Bill 1.

My parents are proudly celebrating 44 years in a now same-sex marriage

that remains in legal limbo in several states, despite my folks committing in front of God, their family and friends to “Let No One Rend Asunder” their wedding vows on Feb. 1, 1969, at a Catholic church in Milwaukee. More than 25 years ago, my parent, Dainna, completed the transition from male to female. She and my mom, Mary, decided to stay together and remain married during this intensely personal and emotional change. They are the first couple in the United States to remain legally married following Dainna’s transition.

People from all walks of life over the years have told me they feel my parent’s marriage is not only “disgusting and sinful,” but that their vows are “null and void.” It hurts to be told to my face that “children are better off raised in traditional families,” whatever traditional means in this day and age. I have a highly successful career as a writer, editor and educator. Much better off being raised in a nontraditional family, I am moral, healthy and wildly happy!! I also have a great deal more compassion for all family structures.

To that end, I join my parents and countless other ‘ohana across the country in fighting for equality and justice within the law. As my parents travel the country, we are never sure which states will still recognize their marriage and their commitment to “Let No One Rend Asunder” their vows.

In 1996, Colorado overturned State Amendment 2 after the United States Supreme Court ruled 6-3 in *Romer v. Evans* that “an identifiable group of people could not be walled off from the legal system.” Because marriages are

first and foremost legal contracts and agreements, the proof of which is that while many, but not all, weddings take place in churches, ALL divorces must take place in a courtroom. Thus, not allowing a certain identifiable group of people to enter into a legal contract effectively walls them off from the legal system.

There is also no way to define the terms, “male,” “female,” “man,” or “woman,” legally or otherwise and no criteria to write those definitions. We are more alike than we are different on every consideration. For example, the International Olympic Committee stopped chromosomal testing in 1994 after finding too many athletes were not exclusively XX or XY.

In addition to supporting the legalization of same-sex marriages, I also kindly ask that Hawai‘i honor the “Full Faith and Credit” afforded under the United States Constitution regarding marriages, civil unions, domestic partnerships or similar legal recognitions between two consenting adults.

Mahalo nui loa for your consideration and support of Senate Bill a recognizing Same-Sex Marriages. Thank you for your consideration and support of my family and all families like mine.

Imua Hawai‘i!

Laurie Cicotello

4441 Rice St., Box 387

Lihue, HI 96766

From: [CHASTEL Serge](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 9:03:33 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

CHASTEL Serge
2063 St Louis Drive
Honolulu, HI 96816

From: [Glory Acidera](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 9:09:00 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

I believe that everyone is created equal and should be treated equally. I teach my children what I believe in. . . no matter who you are, what color you are, or even what gender. . .We are ALL human beings. . .there is no "category" in life. . .we live life as human beings there is no white, black, gay or bi. . .we are human beings. We are ALL equal!!

Thank you for this opportunity to testify.

Glory Acidera
2238-A Lokelani St.
Honolulu, HI 96819

From: [Robert Bright](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 9:27:29 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

I am a gay man who has been in a committed relationship for 14 year. I pay taxes and contribute time and energy to my community. However, I cannot enjoy the full state and federal liberties that apply to married couples.

My love and commitment to my partner deserves full equality and protection as any other hetero couple would enjoy. My partner deserves to collect my social security benefits after my death.

We urge you to pass SB 1 to allow marriage equality for all consenting adult couples. We urge you not to be swayed by those who fear change.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Robert Bright
1645 Ala Wai Blvd #603
Apt 603
Honolulu, HI 96815

From: [Thoams Nissel](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 9:36:32 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Thoams Nissel
775 Kinalau Place #2002
2002
Honolulu, HI 96813

February 12th 2013

COMMITTEE ON JUDICIARY AND LABOR

Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Senator Les Ihara, Jr.
Senator Sam Slom
Senator Mike Gabbard
Senator Brickwood Galuteria
Senator Malama Soloman

NOTICE OF HEARING

DATE: Monday, October 28, 2013
TIME: 10:30 a.m.
PLACE: Auditorium – Chamber Level
State Capitol
415 South Beretania Street

**RE: TESTIMONY IN STRONG SUPPORT OF SB1
RELATING TO EQUAL RIGHTS**

Recognizes marriages between individuals of the same sex. Extends to same-sex couples the same rights, benefits, protections, and responsibilities of marriage that opposite-sex couples receive.

Dear Committee on Judiciary and Labor:

Many of you know me, Kathryn Xian, as an advocate of anti Human Trafficking legislation. As the director of the Pacific Alliance to Stop Slavery, I have met child victims of sex trafficking who are LGBT. They become sex trafficked due to their vulnerability as homeless youth. How do they become homeless?-- because of their rejection by their 'ohana-- rejection often fueled by religious homophobia. This spiritual wounding is a form of child abuse which leads not only to youth homelessness but to drug abuse, depression, sexual exploitation, and teen suicide. *see graphic attached

These children do not receive support from their families or churches who unjustifiably condemn them for their sexuality. However, the issue before you is not a religious issue. It is an equal rights issue. Lawmakers must uphold the separation of church and state and honor the equal rights of all citizens; rights afforded to everyone after great historical struggle.

60 years ago the political upheaval was over race. Now we risk a backsliding into institutionalized discrimination, influenced by the religious right, by not recognizing the class disparity of the LGBT community.

Some argue that, unlike race, sexuality is a choice. It is not. Sexuality is an integral part of one's identity. Those who are not LGBT-identified have no right to define the identities of people in the LGBT community.

It is our priority, as a community, to ensure the protection, safety, and equal rights of all our people. Marriage Equality is an absolute necessity to establish that no class of people may be marginalized by the state and treated like second class citizens. It will also show LGBT-identified youth that the overall LGBT community has such equal protection by the state and that their rights shall be kept unadulterated regardless of their sexual orientation.

As a Christian, I respectfully ask you not to cast your vote based on the coercion of homophobic fundamental Christians but upon the premise of freedom, liberty and equality for all. It's time we start healing our diverse community as leaders tasked with the kuleana of protecting all citizens regardless of race, gender, class, or sexual orientation.

Thank you for hearing this much needed legislation.

Sincerely,



Kathryn Xian
Executive Director
Pacific Alliance to Stop Slavery

Healing Our Community by Recognizing Religious Homophobia



LGBT YOUTH, who experience high levels of **REJECTION** from their families, are:

6x more likely to suffer from **MAJOR DEPRESSION**, and

8x more likely to **ATTEMPT SUICIDE**

...compared to their non-LGBT peers. ^[1]

Among **LGBT YOUTH**,

90% were **HARASSED** or **ASSAULTED**, ^[2] and

over **30%** **ATTEMPTED SUICIDE**. ^[3]

An estimated **20%** to **40%** of **HOMELESS YOUTH** are LGBT-identified. ^[4]

In 2011, Hawai'i public school students reported that they: ^[5]

MIDDLE SCHOOL		HIGH SCHOOL
6,800 (25.8%)	Experienced Depression	12,700 (29.5%)
5,900 (22.5%)	Considered Suicide	7,100 (16.1%)
4,100 (15.5%)	Planned Suicide	6,600 (15.0%)
2,400 (9.2%)	Attempted Suicide	3,200 (8.6%)
2,800 (10.4%)	Hospitalized for Attempted Suicide	1,300 (3.4%)

YOUTH THAT IDENTIFY AS LGBT: 3,100 (7.3%)

Sources Cited

1. Ryan, C. Supportive families, healthy children: Helping families with lesbian, gay, bisexual, & transgender children. San Francisco, CA: Merian Wright Edelman Institute, San Francisco State University, 2009.
2. 2005 GLSEN National Student Climate Survey
3. Suicide Prevention Resource Center. (2008). Suicide risk and prevention for lesbian, gay, bisexual, and transgender youth. Newton, MA: Education Development Center, Inc. <http://www.sprc.org/library/SPRC_LGBT_Youth.pdf>.
4. Ray, N. (2006). Lesbian, gay, bisexual and transgender youth: An epidemic of homelessness. New York: National Gay and Lesbian Task Force Policy Institute and the National Coalition for the Homeless.
5. Hawaii Health Data Warehouse; State of Hawaii, Hawaii School Health Survey: Youth Risk Behavior Survey Module, Report Created: 2/13/2013. Retrieved August 27, 2013 from http://www.ksbe.edu/spi/PDFS/Reports/Demography_Well-being/yrbs/.

From: [Rita Kanui](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 10:18:40 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

Before there is the computerized version of my support for SB 1, I would like to state a few historical, cultural and spiritual issues that will help this legislature to pass this bill from a Kanaka Hawaii perspective, that intertwines with our ancient of history of the aikane...who was not just the lover of the King Liholiho but a fighting partner in times of wars...we call them mahus today...back then, they were aikane, not just a friend with King Liholiho but his lover, protector, confidant, family, spiritual guide, provider of the household and many other things as partners and lovers...we call them mahus today...which is a western way of degrading something and someone very sensitive, spiritual, strong, intelligent, with a heart and soul...most couples in western ways do not understand infact they act as they despise these mahus...who by the way are plentiful in the Hawaiian household and nation...which we still are today, separate and independently functioning as an independent country.

Coupled with what is written in this testimony, as a kahu from Waimanalo and a long time worker for our own legal independence...I see no difference in us or the gay population...we are all human, who wants a better life and if that life is to live it with someone of the same sex and that relationship is respected and held to the highest of standards...there can only be peace for all people in Hawaii, for we are not prejudice towards the same sex marriage of two people of the same sex...except when it starts to cross over the line that protects those of us who are straight, that they respect the laws of our country...we shall see how everything goes...we wish those couples their happiness with their children and let the world live in peace and happiness...just prepare for it in a good way.

First of all, this whole issue has gotten out of hand by modern day politics and politicians who have forgotten who we are and where we came from as a people.

Second of all, as kanaka Hawaii and in our history and culture to have a same sex partner was a very spiritual to have a male sensitive to female tendencies of the heart, mind and soul.

The freedom to marry the person you love is a basic God given freedom (yes, I said a God given freedom) since, no one can prove it is not...in the Bible...therefore, should not be denied to anyone. Gay and lesbian couples get married for similar reasons as so called straight people do... – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love. The business of the government is to do what is pono, before it has to shut its doors because of no funding...which would be a blessing in disguise...because then, same sex marriage will still be here for the Hawaiian Government to pass anyway, because they are are bent on or spend their time to block such measures that are good for the people, the economy and the aina.

For all these reasons please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Rita Kanui
41-169 Poliala Street
Waimanalo, HI 96795

From: [Matthew LoPresti](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 11:17:46 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

Marriage equality is a the single greatest civil rights issue of our day. The simple and straightforward arguments for marriage equality are of two kinds: (1) practical and (2) moral.

On the practical side, the State of Hawaii must act now to bring state law in line with SCOTUS's recent ruling requiring that same sex couples be allowed equal access to the same rights and privileges of other married couples and that this essentially means that marriage equality is the only constitutional way to ensure such equal treatment under the law.

The moral argument concerns respecting the liberties of our GLBT brothers and sisters and treating them as those of us who may be straight wish to be treated. This means that we cannot reasonably or ethically discriminate and create second-class status that condones one group of persons who wish to marry while limiting the rights of another group who wishes to also have their loving relationships recognized on an equal footing. This is basic.

Sadly, numerous poorly reasoned counter-arguments abound opposed to gay marriage alleging fallacious harms or insisting upon deliberately absurd slippery slopes that suggest if we allow gay marriage then we will soon face a need to condone a motley list of completely unrelated unions. As for the former, no alleged harms have ever upheld under even the least bit of scrutiny and faux scientific studies have been objectively discredited. And as for the later, the supposed slippery slopes that you will have heard, either do not actually apply to gay marriage, or merely apply to marriage between same sex couples as much as it applies equally to marriage between heterosexual couples.

As a straight married man in a mixed race marriage, I am very keen on ensuring that people have no illusions about these above sorts of counter-arguments as being almost identical to ignorant and hateful agendas of the past that were directed against mixed race couples. Those arguments were invalid and unsound then against mixed race couples then and they are invalid and unsound against GLBT couples today.

As a democratic society we simply cannot allow the myopic religiously-based infatuation of an increasingly shrinking number of people dictate who does and does not qualify for equal treatment under the law. Reason, justice and a cosmopolitan morality must prevail.

Please pass this bill to allow for marriage equality for all of Hawaii's families. Any delay would be, in effect, a denial of justice for thousands of our citizens.

Thank you for this opportunity to testify.

Matthew LoPresti
91-1411 Keoneula Blvd.
Unit 2106
Ewa Beach, HI 96706

From: [Robert Hogan](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 11:22:37 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Robert Hogan
85-175 Farrington Hwy
A133
Waianae, HI 96792

From: [Penina Afamasaga](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 11:27:42 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

I am in a civil union with my partner because that was the only way we could officially "get married". We had no other way to bond ourselves together other than civil union, but I want to be able to share a lifetime of marriage with my partner. I want to have that same experience with my partner that other couples are entitled to.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Penina Afamasaga
91-1044 Kaiiau Ave
14F
Kapolei, HI 96707

From: [Paul Kraselsky](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 11:34:06 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Paul Kraselsky
3011 Pua Akala PL
Koloa, HI 96756

From: [matt yee](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 11:41:44 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

matt yee
981970g kaahumanu street
pearl city, HI 96782

From: [W.K. A.](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 11:58:02 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

I'm related to gay and transgender cousins who have been in long-term, monogamous relationships with their beloveds. They've made families for themselves even though government doesn't recognize it. The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

It saddens me that they can't enjoy marriage the way I have because I'm straight and they're not. Gays, lesbians, and transgenders should be allowed to marry the people they love. Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

W.K. A.

9

Waipahu, HI 96797

From: [Kenante Rice](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 12:03:43 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Kenante Rice
ahohui
Honolulu, HI 96819

From: [Emily Ono](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 12:10:04 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Emily Ono
2341 Round Top Dr
Honolulu, HI 96822

Re: Testimony in support of SB 1 Relating to Equal Rights

Aloha Chair Clayton Hee and Members of the Senate Committee on Judiciary and Labor,

I am writing in **strong support of SB 1** for marriage equality in Hawai'i.

Hawai'i has been on the forefront of Aloha and civil rights in the United States including the passage of the Equal Rights Amendment, nondiscrimination clauses for employment and public accommodations on the basis of sexual orientation and gender identity, and Civil Unions. Now is the time for Hawai'i to pass the marriage equality bill granting marriage rights to same gender couples. The U. S. Supreme Court struck down DOMA (Defense of Marriage Act) which allows married same sex couples in those states that have marriage equality to obtain the federal marriage benefits (over 1000) that are already granted to opposite sex married couples. Also, married same sex couples in military will also receive the federal benefits of marriage, which is significant in Hawai'i with its many military installations throughout the state.

I am a gay catholic man who has been with my life partner for over 22 years. We are Reciprocal Beneficiaries, receiving our certificate in 1998. We hope to finally gain the recognition of our love and commitment and be granted the rights and responsibilities of marriage already granted to opposite sex married couples. I am also a member of Dignity Honolulu, the local chapter of Dignity USA for lesbian, gay, bisexual and transgender Catholics and their friends and supporters. Dignity USA has been consistent in its support for equal rights for LGBT people, through its membership in the coalition called, *Equally Blessed*, with the partners, New Ways Ministry, Call to Action, and Fortunate Families. These groups are progressive Catholic groups that support marriage equality because of their support for social justice issues which relate to our faith.

Recently, Bishop Larry Silva had sent out a letter opposing marriage equality with offensive and inaccurate statements regarding gay and lesbian families. Studies show that children raised by two parents, either opposite sex or same sex parents, have a better quality of life than those raised by just one parent, or have no parent at all. We should be supporting all families, which then supports the welfare of the overall community.

Again, I urge you to support SB 1 on marriage equality for the people of Hawai'i.

Respectfully,

Gene Corpuz
1139 9th Ave., #1602
Honolulu, HI, 96816
GeneCMSPH@aol.com
808-779-1965

From: [Natasha Lee](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 12:58:51 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Natasha Lee
2583 Dole Street
Honolulu, HI 96822

From: [Doran Porter](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 2:29:12 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Doran Porter
46462 Hulupala Place
46462 Hulupala Place
Kaneohe, HI 96744

Re: Testimony in support of SB1 Relating to Equal Rights

Aloha Chair Clayton Hee and Members of the Senate Committee on Judiciary and Labor,

I am writing in **strong support of SB 1** for marriage equality in Hawai'i.

I am a Roman Catholic and member of Dignity Honolulu, a ministry to GLBT Catholics. I am in total support of marriage equality because we need and deserve the right to marry our partners. My partner Mike and I have been together 12 years now. We look forward to the day we can officially get married.

Again, I urge you to support SB 1 on marriage equality for the people of Hawai'i.

Respectfully,

Carlos Hernandez
540 Iolani Circle, #1
Honolulu, HI, 96813
808-227-7479



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Legislative Director

TESTIMONY FOR SENATE BILL 1, RELATING TO EQUALITY

Senate Committee on Judiciary and Labor
Hon. Clayton Hee, Chair
Hon. Maile S.L. Shimabukuro, Vice Chair

Monday, October 28, 2013, 10:30 AM
State Capitol, Auditorium

Honorable Chair Hee and committee members:

I am Kris Coffield, representing the IMU Alliance, a nonpartisan political advocacy organization that currently boasts over 175 local members. On behalf of our members, we offer this testimony **in strong support of SB 1**, relating to equality.

Marriage equality is long overdue. Like Native Hawaiian self-determination or lobbying reform, the time for passing same-sex marriage in the islands isn't now. It was decades ago, when the consequences of discrimination—bullying against GLBT children, prejudice-inspired violence, and economic disenfranchisement, to name a few—gained public notice. One can plausibly argue that the time for equality has always been with us, since discrimination against any class of people is repugnant in any era. Period.

Today, we're in the reparative stage of the gay marriage struggle, in which the conversation hinges as much on redressing injustice as institutionalizing progressive social values. In the recently decided Supreme Court Case *United States v. Windsor*, for example, the plaintiff, Edith Windsor, argued that the Defense of Marriage Act unfairly forced her to pay \$363,053 in estate taxes by preventing the federal government from extending the tax's spousal exemption to same-sex couples. Windsor won, but isn't the only person to face unnecessary hardship because of biased legal codes.

A host of rights continue to be denied to unmarried gay citizens, including those involved in separate-but-equal civil unions. According to the Government Accountability Office, marital rights are the bridge to 1,138 federal protections, including social security survivor benefits, expedited family-based immigration visas, spousal employment safeguards, and income tax exemptions. Even basic entitlements that support the financial well-being of families, like pension benefits and Medicaid provisions, are complicated by the lack of “marriage” being formally attached to a same-sex couple's relationship status.

In Hawaii, the number to remember is \$217 million. That's the potential value of the tourism boost the islands could reap if policymakers sow same-sex marriage into law, says a study performed by University of Hawaii economist Sumner La Croix. Of that amount, La Croix surmises that \$166 million would come from spending on marriage ceremonies and honeymoons, especially by visitors planning destination weddings. Approximately \$10.2 million would be generated in general excise tax revenue between 2014 and 2016, enough to improve children's learning growth by providing air conditioning to several of the state's hottest schools.

Economics aren't the primary reason local lawmakers should legalize same-sex weddings. Rather, ensuring the dignity of every person, regardless of sexual orientation, should be the state's main goal. Yet, as non-controversial as that may seem for a state that prizes and advertises its diversity, some religious conservatives are concerned that gay marriage runs afoul of scripture. Catholic Bishop Larry Silva recently stated that “not all discrimination is unjust.” Similarly, in a Facebook post to followers on July 2, New Hope pastor Wayne Cordeiro called the Supreme Court's June marriage equality decisions “immoral rulings,” stating, “If we tolerate immorality in our churches, we will see it endorsed in our country.” Silva's and Cordeiro's message is clear: religion, especially Christianity, condemns same-sex couples.

Contrary to the convictions of conservative Christian leaders, though, marriage equality passes the Biblical test. Perhaps the most oft-cited passages decrying homosexuality come from Leviticus, which purportedly bans laying with a man as with a woman. But Levitical laws also prohibit planting two different crops in the same field, clothes made from different fibers, and touching pigskin. So much for playing football in your favorite player's jersey. Sometimes, heterosexual relations between Adam and Eve in Genesis's creation stories are exalted as morally normative. Genesis makes no mention of same-sex sexuality, however, and has become a textbook case of people reading personal ideologies into a text that aren't present in the text itself.

Even in the New Testament, homosexuality fares fairly well. Jesus, the man on whom Christianity is based, never discusses same-sex relationships, instead devoting extensive time to helping the poor, sick, and socially outcast. In epistles to the Romans and Timothy attributed to the apostle Paul, the author appears to denounce homosexuality as immoral. Unfortunately for equality opponents, the Greek word translated as “homosexuals” in these verses is *arsenokoites*, which many Biblical scholars, including National Book Award winning author John Boswell, believe to have been coined by the author (there is no record of its usage before the Pauline letters) to refer only to young male prostitutes who were sexually exploited during Roman temple rituals. While research about the term's meaning continues, one can hardly claim ambiguous, and possibly countervailing, ancient phrases as a sound basis for public policy.

With regard to the scope of the religious exemption contained in the bill, **we encourage you to refrain from weakening the state's public accommodations law.** Accordingly, we urge

you to amend this bill by allowing churches to refuse same-sex weddings at church facilities ***if and only if*** marital use of such facilities is restricted to church members and affiliated persons, and not used to operate for-profit marital businesses. We encourage you to change page 6, lines 4 through 18 (§572-F) to read: Religious organizations and facilities; liability exemption under certain circumstances. a) A religious organization shall not be required to make a religious facility owned or leased by the religious organization available for solemnization of a particular marriage; provided that: (1) The religious facility is regularly used by the religious organization for religious purposes; (2) For solemnization of marriages pursuant to this chapter, the religious organization restricts use of the religious facility to its members; and (3) The religious organization does not operate the religious facility as a for-profit business. (b) A religious organization that refuses to make a religious facility available for solemnization of a marriage under subsection (a) shall not be subject to any fine, penalty, injunction, administrative proceeding, or civil liability for the refusal. (c) Nothing in this section shall be interpreted to exempt the owner or operator of any religious facility from the requirements of chapter 489 if the religious facility is a place of public accommodation as defined in section 489-2. We further urge you not to extend the exemption to facilities used “primarily” for profit, since this would allow discrimination at dual-use facilities and introduce vague terminology that could complicate application of the statute's protections.

By any measure, legalizing marriage equality furthers the interests of Hawaii's citizens, both gay and straight. Waiting, either for next year's legislative session or a vote on a constitutional amendment, merely delays the fulfillment of justice that's too long been denied. Mahalo for the opportunity to testify **in strong support of** this bill.

Sincerely,
Kris Coffield
Legislative Director

Strongly in favor of SB 1

I have to admit that in 1998, I didn't realize that some of the LGBT (lesbian, gay, bi and transgender) community really wanted to get married, to receive the benefits of their social security and taxes, or even become a family. I thought, as a group, they were self sufficient and able to hire lawyers to settle any legal questions that may arise. What was the big deal? I voted against equality for all.

Our son came out to us a few years later, and I began to learn what it means to be gay. In fact, I was surprised at how many gay people I already knew...doctors, lawyers, military personnel, city and state employees, teachers, and religious... the list goes on and on. Quite understandably, most of these people kept this part of their lives a secret. It brought tears to my eyes when young people and even people close to my age would describe being rejected by their own families after they shared their "secret".

I wish I could take back the vote I cast in 1998. Unfortunately, I have to live with that; but at least I can support efforts today to achieve marriage equality. Please pass SB 1 so that we can take this important step toward a world in which everyone can live together with love, honesty, and understanding. Mahalo.

HONOLULU



Honolulu Pride

92-954 Makakilo Dr. #71, Kapolei, HI 96707 ▼ (808) 672-9050 - T ▼ (808) 672-6347 - F
honoluluprideparade@gmail.com ▼ www.honolulupride.org

**Dedicated to bringing together Honolulu's LGBTQIA community
to honor and celebrate Pride.**

October 23, 2013

Monday, October 28, 2013 – 3:00 p.m.
Senate's Committee on Judiciary and Labor
Hawaii State Capitol
Capitol Auditorium
415 South Beretania Street
Honolulu, HI 96813

RE: STRONG SUPPORT for Senate Bill 1

Aloha Chairperson Hee and fellow committee members,

Honolulu Pride is Hawaii's oldest and largest lesbian, gay, bisexual, transgender, queer, questioning, and intersex (LGBTQI) pride organization in the State of Hawai'i. We are testifying in STRONG SUPPORT of Senate Bill 1.

Very rarely do you see a bill that comes through the legislature that will right a wrong, protect a vulnerable community, save lives and make the State of Hawaii money. These are some of the reasons that Honolulu Pride supports the Hawaii Marriage Equality Act of 2013.

The area we would like to focus the remainder of our testimony on is the fact that this bill has the chance to save lives. We have heard that a 'major' draw back of this bill is that it will tell people, especially kids, that it is "okay to be gay". We do not see it as a draw back at all; we view this as a major selling point.

Imagine if Tyler Clementi, Raymond Chase, Asher Brown, Seth Walsh, Billy Lucas and Cody Barker had heard that being it is okay to be gay, they just might be with us today. Who are those, you ask. They are all LGBT youth that committed suicide all in just one month because they were bullied. Keep in mind that these are just the ones that made the news, there hundreds if not thousands of suicides by LGBT youth and adults every year. They kill them selves because they are bullied for being who they were born to be! They are told they are less than their straight counterparts and not deserving of justice and equality.

They hear these messages from their bullies, by those that are fighting against equality and by their government when marriage equality is denied them. By making Marriage Equality a reality here in Hawaii you will be able to help save lives.

Our community has been waiting 20 years for this bill to become a reality and we hope that you will help make that happen. So for all these reasons we ask that you say YES to justice and YES to life and pass SB 1, un-amended.

Mahalo for the opportunity to testify.

Rob Hatch
Legislative Representative

From: [Lisa Grandinetti](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 8:21:42 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

The majority of supporters I've met have a personal connection to this issue because they themselves are gay or they are close to a gay couple who have been waiting to get married for a long time. I, on the other hand, do not fall into either of those categories but I firmly believe strongly in empathy. I believe you don't have to be personally connected to an issue to feel passionately about it. The bottom line is that every couple of consenting adults deserves the right to get married legally. All arguments in opposition to marriage equality simply do not get at this bottom line because it is a human right and denying it because of any reason is still wrong. The longer we wait to pass marriage equality, the longer we violate this human right.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Lisa Grandinetti
94-630 Kuaie St
Mililani, HI 96789

From: [Melissa Egusa](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Wednesday, October 23, 2013 10:04:02 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Melissa Egusa
4028 Omao Road
Koloa, HI 96756

From: mailinglist@capitol.hawaii.gov
To: [JDLWebTestimony](#)
Cc: Ken_Conklin@yahoo.com
Subject: Submitted testimony for SB1 on Oct 28, 2013 10:30AM (In Person)
Date: Wednesday, October 23, 2013 10:13:06 PM

SB1

Submitted on: 10/23/2013

Testimony for on Oct 28, 2013 10:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Testifying in Person
Kenneth R. Conklin, Ph.D.	Individual	Support	Yes

Comments: To: Members of the Legislature and the general public From: Kenneth R. Conklin, Ph.D. Re: Special Session SB1, Marriage Equality Date: October 24, 2013 Aloha kakou, If you recognize my name, it's probably because of my activism in opposition to race-based political sovereignty for ethnic Hawaiians -- I oppose the Akaka bill, and the Kau Inoa, Kana'ioloowalu racial registries which the Legislature has endorsed. But on this occasion I'm writing to support the concept of marriage equality. My position on both of these issues derives from my fundamental commitment to equality. I believe we are all equal in the eyes of God, and we should all be treated equally under the law by our government -- regardless of race, and regardless of gender or sexual preference. I also believe in the separation of church and state. So regarding Hawaiian sovereignty, I believe it's unconstitutional and immoral for our government to establish the ancient Hawaiian religion as having a privileged position in government decision-making regarding "sacred land" or "sacred taro" or what to do when bones are discovered during construction projects. In the same way, I believe we should separate the religious aspect of marriage from the civil aspect. A church should see only the religious aspect of marriage, as a sacred ceremony uniting souls in the eyes of God. Government should see only the civil aspect of marriage as a contractual partnership, enforced by government, whereby the partners acquire legal rights and responsibilities related to property, financial support, taxation, child custody, etc. A religious institution should have the right to solemnize a marriage, or refuse to solemnize a marriage, solely in accord with its theology or prejudices, untrammled by any government laws or regulations. Indeed, if a Muslim imam chooses to marry a man to 4 wives, that should be a matter entirely between the man, the 4 women, the imam, and God; with no interference from the government. However, a marriage performed by a priest, minister, rabbi, or imam should have no legal consequences, and should never be authorized beforehand by the government nor certified afterward by the government. The famous final words spoken by priests in a marriage ceremony should never be spoken anymore: "Now by the authority vested in me by the State of Hawaii I hereby pronounce you ..." No priest should have any authority vested in him by the government, and whatever a priest does regarding marriage should have no consequences for the government. It

violates the separation of church and state when the state grants a particular religion or reverend the right to function as an agent of the government to sign a government certificate of marriage conferring government benefits such as tax exemptions or rights to financial support. People wishing to create a contractual relationship with rights and responsibilities enforced by government must get a license issued by the government. The government should create a booklet comparable to the "Rules of the Road", written under authorization of the Attorney General, specifying what are the rights and responsibilities; and prospective partners should be required to pass a test to demonstrate their knowledge of those rights and responsibilities before they can get a license from the government. When doctors, dentists, lawyers or business executives decide to form a partnership, the government does not inquire into their genders or whether they are having sexual relations or what kind of sexual relations they engage in. The same should be true regarding governmental certification of marriage as a civil partnership. "Render unto Caesar that which is Caesar's, and unto God that which is God's." Let neither church nor government interfere with the kuleana of the other. Let a church allow or prohibit same-gender marriage according to its own theology and prejudices, regardless of governmental laws; but marriages performed by churches should not be recognized or certified by government and should have no legal consequences. Let government certify marriages having legal consequences in the same way it certifies business partnerships, regardless of the genders or sexual practices of the partners. If a church operates its facilities as a business, performing marriages for fee-paying non-members, then the church should be subject to the same regulations regarding non-discrimination in public accommodations as any other business, and should be required to pay taxes on its business income and its real property. People wanting to get married should be able to choose either a sacramental marriage in a church, or a civil marriage licensed by the government; or they may choose to have both. Most people will probably want both. But they cannot get both through the same ceremony or at the same time or place. Thank you for your attention to my thoughts.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Michael (Mike) Golojuch, Sr., Lt Col, USAF (Ret)
92-954 Makakilo Drive #71
Kapolei, Hawaii 96707-1340

October 21, 2013

Senator Clayton Hee, Chair

Senator Maile S.L. Shimabukuro, Vice Chair
COMMITTEE ON JUDICIARY AND LABOR

RE: Testimony in Support of Marriage Equality, SB1

I am Mike Golojuch and I am on the Board of Directors for Parents, Family, Friends of Lesbian and Gays — Oahu and a past Secretary for Dignity Honolulu, supporting gay and lesbian Catholics. I am testifying in support of Same-Gender (Same-Sex) marriage, which is a positive step to bring equal rights to our gay and lesbian tax paying citizens.

We must all remember that marriage is to provide a level playing field for another minority in our society and allow same-gender couples to receive their federal benefits. This is about fairness, equality and economic justice. Marriage will help in the equal protection of the law for our gay and lesbian brothers, sisters, aunties, uncles, fathers, mothers, friends or neighbors.

I served 23 years in the United States Air Force and have been married for 48 years. I believe it is a crime against equal protection under the law by not allowing our gay and lesbian couples to have the same rights, benefits, and obligations that my wife and I have.

This is also in keeping with the United States Supreme Court's recent decision in United States v. Windsor, 133 S. Ct. 2675 (2013), that extends to same-sex couples the right to marry and receive all the same rights, benefits, protections, and responsibilities of marriage as opposite-sex couples receive under the laws of Hawaii.

Marriage will also become a positive economic engine for the State as both local couples and visitors plan their marriage ceremonies and parties in the islands.

I urge the Committee to quickly pass the Marriage Equality Bill so the full Senate and House can vote on this issue.

Thank you for allowing me the opportunity to testify on this long-time coming equality issue.

Sincerely,

Mike Golojuch, Sr., Lt Col, USAF (Ret)
Vice-President, PFLAG-Oahu

From: [Miguel Galvez Bravo](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Thursday, October 24, 2013 10:52:29 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

I am a Roman Catholic and I am 100% in support for equality

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Miguel Galvez Bravo
1522 Bertram st
Honolulu, HI 96816



National Association of Social Workers Hawai'i Chapter

October 23, 2013

To: Senator Clayton Hee, Chair - Committee on Judiciary and Labor
Senator Maile S. L. Shimabukuro, Vice Chair and members of the Judiciary and Labor

From: National Association of Social Workers, Hawaii Chapter

Re: Special Session SB 1, Relating to Equal Rights

Date: Monday, October 28, 2013 Time: 10:30 a.m. Location: State Capitol Auditorium

Senator Hee, Chair, Senator Shimabukuro, Vice Chair, and members of the Senate Judiciary and Labor, My name is Marty Oliphant and I am the Executive Director of the National Association of Social Workers (NASW), Hawaii Chapter. NASW is in **STRONG SUPPORT of SB 1** which will extend the same rights and responsibilities of same-sex partners in marriages.

The social work profession has consistently fought for social justice, equality, and constitutional protections for Hawaii's most vulnerable individuals and groups. Along with other social justice and civil rights advocates, social workers have played an indispensable role in preserving freedom and ensuring opportunity for all. Social workers believe that lesbian, gay, bisexual and transgender persons deserve the same protections and opportunities in their work, family, career and health equal to other members of society.

NASW encourages the adoption of laws that recognize inheritance, insurance, same-sex marriage, child custody, property, and other rights in lesbian, gay, bisexual, and transgender relationships. The Association firmly believes that all federal protections and responsibilities available to legally married people in the United States should be available to people who enter same sex unions (including domestic partnerships, civil unions, and same sex marriages).

Furthermore, NASW promotes equal protection under the law, and strongly supports the full implementation of existing civil rights legislation and its application to women; to people of color; and to gays, lesbians, bisexuals, and transgender people. And, because we believe that everyone is entitled to equal opportunity — regardless of age, disability, gender, language, race, religion, or sexual orientation — NASW endorses local, state, and federal policies and programs that give all people equal access to the resources, services, and opportunities that they require.

Approximately nine million adults in the United States—or three percent of the population—identify as lesbian, gay, bisexual, and transgender (LGBT) individuals. Discrimination and prejudice directed against any person on the basis of sexual orientation, gender or gender identity, whether real or perceived, are damaging to the social, emotional, psychological, physical, and economic well-being of the affected individuals. NASW believes that same-gender couples should be afforded the same respect and rights as other-gender couples. Discrimination and prejudice directed against any group is damaging to the well-being of society as a whole.

NASW strongly supports SB 1. Please pass this bill.

Thank you.

From: [Carolyn Golojuch](#)
To: [JDLTestimony-InPerson](#)
Subject: Fwd: Testimony SB1
Date: Thursday, October 24, 2013 11:48:27 AM

October 24, 2013

Monday, October 28, 2013 –10:30 a.m.

Senate's Committee on Judiciary and Labor

State Capitol Auditorium

415 South Beretania Street

Honolulu, HI 96813

RE: STRONG SUPPORT for Senate Bill 1

Aloha Chairperson Hee and fellow committee members,

I strongly support SB 1 because:

1. -It's a US Constitutional Right as stated in the June 27, 2013 US Supreme Court Decision;
2. Social Justice calls for respect and dignity of all human beings;
3. Our Hawai`i State Constitution calls for equitable treatment of all citizens;
4. Hawai`i Civil Unions do not qualify under US law for 1,000+ rights of marriage;
5. Hawai`i needs SB1 to continue it's reputation as the land of Aloha;
6. Ancient Hawai`i respected all sexual identities prior to influx of Christian missionaries;
7. 14 other states, DC, some Native American tribes and 15 other countries have legalizes Full Marriage Rights;
8. Lt. Frank Golojuch, fought in WWII for Liberty and Justice for all Americans and his own Grandson doesn't have Liberty and Justice;
9. My husband and I are 48 years married and want the same rights for our gay son and the rest of the LGBT community;

10. US Military LGBT couples are recognized as legal couples and need Hawaii to legalize marriage for them to receive Federal benefits;

11. Our LGBT couples and families are in valuable and loving relationships and need the legalization to qualify for Federal rights, responsibilities and benefits;

12. Those churches that value their LGBT members want to perform wedding celebrations to respect them and it's discrimination to refuse this right;

13. I love my gay son and have worked for 18 years for his and all my other LGBT friends liberty and justice;

14. It's the right time for Justice.

Thank you for your consideration of this timely and important legal action.

Sincerely,

Reverend Carolyn Martinez Golojuch, MSW

Universal Life Minister, Wife of 48 years, Mother of a daughter and a gay son

Gomama808@gmail.com

--

Carolyn Golojuch, MSW

92-954 Makakilo Dr. #71

Kapolei, HI 96707

(808) 779-9078

gomama808@gmail.com

"If more people believed in justice, freedom and justice would be reality." cmg

--

Carolyn Golojuch, MSW

92-954 Makakilo Dr. #71

Kapolei, HI 96707

(808) 779-9078

gomama808@gmail.com

"If more people believed in justice, freedom and justice would be reality." cmg

From: [Terry Travis](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Thursday, October 24, 2013 12:47:06 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

Others have presented testimony on how important it is for loving couples to be allowed to marry persons they choose. What I would like to do is to debunk some of the irrational statements being made by the opponents of this bill.

1. Marriage Equality will NOT destroy America's family structure: Massachusetts legalized same sex Marriage in 2004 and since then Massachusetts has had the lowest divorce rate of any state in the US. In fact, according to a study by the CDC (US Center for Disease Control) done in 2007, the 5 states that had legalized same sex marriage at that time - Connecticut, Iowa, Maine, Massachusetts and Vermont - all have an average divorce rate that is nearly 20% lower than the average of the rest of the country.
2. This bill does NOT redefine Marriage: These same opponents of this bill said in opposition to the Civil Unions Bill "Civil Unions are Same Sex Marriages by another name". So what this bill really does then is just change the name of Civil Unions to Civil Marriages, so why are these opponents claiming that his is "land-breaking legislation"? By their own statements, this bill just recognizes that Hawaii already has Same Sex Marriage but has just called it by a different name and now is just using this bill to rename Civil Unions to the name recognized by the Federal Government so that these couples will get equal Federal benefits.
3. The People HAVE decided: When the legislature first considered Civil Unions, the opponents vowed to vote out those legislators who supported it. But ever since then, voters have consistently elected or re-elected legislators who support Civil Unions so that support in the legislature has increased. Other examples: Linda Lingle vetoed Civil Unions and was thus soundly defeated in the next election when she ran for Senate. Duke Aiona, who said he would have vetoed Civil Unions, was also soundly defeated by Neil Abercrombie who supported Civil Unions. And the most obvious example is Mufi Hanemen (who called Civil Unions "same sex marriage by a different name") was surprisingly defeated by Tulsi Gabbard who supported Civil Unions. So, the people HAVE spoken. The only thing that a delay and a vote by the people would do is allow the Catholic Church to waste more money running homophobic TV ads when they should be using their resources for Charitable work.
4. Freedom of Religion is NOT the issue: This bill contains many provisions to protect Freedom of Religion in cases where this freedom in within the confines of the exercise of a particular religion. The real issue is whether a religious minority is allowed to impose their homophobic agenda on the majority.

Thank you for this opportunity to testify.

Terry Travis, 91-999 La'aulu St., Ewa Beach, HI, 96706

Terry Travis
91999 Laaulu
Ewa Beach, HI 96706

From: [Shaun Campbell](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Thursday, October 24, 2013 3:30:09 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

It's a little-known fact that for 24 hours back in 1996, same-sex marriage was legal in Hawai'i. However brief that moment of justice and equality, it was one that sparked the modern movement for equal marriage around the globe that now is embraced by fully 17 countries, including more than a dozen states here in the U.S.

Indeed, Hawai'i has always supported diverse configurations of what comprises "family", from structures of kinship and households of Native Hawaiians to more recent options. Judge Kevin Chang perhaps summed up the familial landscape best in his landmark decision of 1996 in *Baehr v. Miike*:

"There is diversity in the structure and configuration of families. In Hawaii, and elsewhere, children are being raised by their natural parents, single parents, stepparents, grandparents, adopted parents, half parents, foster parents, gay and lesbian parents, and same-sex couples."

Notwithstanding our unique leadership role in the global equal marriage front, there are those here at home who pander fear and a false morality, insisting that respecting the civil rights of gay and lesbian minorities will deteriorate, rather than strengthen our society. This is factually untrue. In 2004, the American Anthropological Association, the world's largest organization of scientists who study culture, issued this "Statement on Marriage and the Family":

"The results of more than a century of anthropological research on households, kinship relationships, and families, across cultures and through time, provide no support whatsoever for the view that either civilization or viable social orders depend upon marriage as an exclusively heterosexual institution. Rather, anthropological research supports the conclusion that a vast array of family types, including families built upon same-sex partnerships, can contribute to stable and humane societies."

What we need now in Hawai'i to strengthen families of all types is equal marriage for all citizens. The time is ripe for fair treatment. Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify,

Shaun Campbell

Shaun Campbell
1911 Kalakaua Avenue, #305
Honolulu, HI 96815

From: [Renea Stewart](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Thursday, October 24, 2013 4:23:11 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Renea Stewart
215-6 Kawaihae Street
Honolulu, HI 96825

TESTIMONY OF

PATRICIA KOGE

USW Local 12-591 Unit Chair of the Hawaii Independent Energy

before the

SENATE COMMITTEE ON JUDICIARY AND LABOR

Monday, October 28, 2013

10:30 a.m.

State Capitol, Auditorium

concerning SB 1

“RELATING TO EQUAL RIGHTS”

Chair Clayton Hee, Vice Chair Maile S.L. Shimabukuro and Members of the Committee:

The United Steelworkers (USW) Union Local 12-591 strongly supports SB 1, the granting of equal rights to same-sex couples concerning marriage equality.

The USW have a long history of standing up for the working class people on issues that affect our members and proudly support this bill. Passage of this bill will enable same-sex couples to receive the same Federal benefits (over 1,000) afforded heterosexual couples.

The USW stand with supporters of marriage equality because it is the “right” thing to do and gives our LGBTIQ members equal access to benefits, preserves their dignity and recognizes their relationships.

Other states that have enacted similar bills on marriage equality have rectified this grave injustice to our LGBTIQ community. Our hope is that our LGBTIQ members working in Hawaii will no longer have to live in fear of the uncertainties that exist without the protections of full marriage equality.

It is our sincere hope that members of our legislative body will remain strong and resist pressures from those who oppose this bill. Failure to pass this bill will continue to deprive Hawaii residents and USW members of their dignity and right to be treated equally. Now is the time to stand up to discrimination and pass marriage equality.

Thank you for giving me the opportunity to testify at your committee hearing.

From: [Kent West](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Thursday, October 24, 2013 8:13:47 PM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Kent West
46034 Puulena Street
Unit 723
Kaneohe, HI 96744

My name is Kent West and I am 49 years old. My partner and I just celebrated our 22nd anniversary of being together. That is 22 years that we as a couple have been denied access to 1,000+ benefits and privileges, including protections under the law, that are currently exclusive to traditionally married couples.

My partner and I are American citizens, born and raised in the "good ole U.S. of A." We both have been working since the age of 15, and we continue working to this day as productive and contributing working class American citizens earning our hard earned paychecks, as well as paying our fair share of taxes. Of our combined 68 years of being in the workforce, the taxes we have paid have contributed to the coffers of both the State and Federal Governments, and yet we are denied equal access to 1,000+ benefits, privileges and protections of marriage that our tax dollars fund on both the State and Federal level.

As a direct and immediate result of the opposition to Marriage Equality, American born citizens are being denied the right to equality. The very rights defined by the forefathers of this great country:that all men/women are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

The rhetoric from the opposition to Marriage Equality is that this is an all-out effort to redefine the 'Institution ' of marriage. It should be unequivocally clear and understood that this is in no way an effort to redefine marriage. This is simply and exclusively about equality and equal access to 1,000+ marriage benefits, privileges and protections that are provided by both the State and Federal government.

The rhetoric from the opposition to Marriage Equality is to 'Let the People vote'. Historically American voters have proven themselves inconsistent in voting on Civil Rights Issues, especially ones that are as sensitive as this. Ultimately it has been the Government that has had to make the final decision. This is fact.

The rhetoric from the opposition to Marriage Equality is that they don't wish to have this 'forced into their lives', yet their current opposition to me and my partner marrying is forced into our lives every single day whether we like it or not.

Let me ask the opposition and the voters this. How does you marrying the person that you love, directly or indirectly impact the quality of my life? How does me marrying the person that I love, directly or indirectly impact the quality of life for you and your family? The answer is it doesn't. However, the oppositions current stance on me marrying the person that I love directly and indirectly impacts the quality of my life, my partner's life and our families lives, every single day.

Do you know how it feels to NOT have equal rights, as promised under the law, as American born citizens? My partner and I do. Do any of you know how it feels to fear not being able to be there for your loved one in the event they are incapacitated? My partner and I do. Do any of you know how it feels to fear losing everything you and your loved one has built together in the event of a death? My partner and I do. Do any of you know how it feels to feel like you don't count or matter or like you are a non-citizen? My partner and I do. Do any of you know how it feels to be excluded? My partner and I do. We experience all of this every minute of every day of our lives as a direct result of individuals like those who are opposed to Marriage Equality. To them I say,

put yourself in our shoes and spend just 1 day living in our fears and see how it makes you feel.

It is time that we stop living in fear. Hate is not a family value. Love is.

Being gay or straight is not something that someone just decides to be. Everybody is born just the way our Creator has made us. To NOT move Marriage Equality forward would send the message that it is okay to continue to perpetuate hate, intolerance, bigotry, judgment, exclusion, non-acceptance and to self loathe who you are not only as an individual but also the community and your fellow citizen.

Hawaii and the Aloha spirit have been part of me and my partner's lives for 22 years, ever since we first came to the islands in 1991. We traveled to and from Hawaii for 12 years, knowing that one day we would be kama'aina. We have been kama'aina and taxpayers for over 10 years now, lovingly embraced, accepted and hanai'ed by a multitude of amazing and beautiful people, except by those who oppose Marriage Equality.

It has always been a priority for both of us to foster, embody and practice Aloha daily in our lives.

What is Aloha?

A-Akahai, meaning kindness to be expressed with tenderness

L-Lôkahi, meaning unity, to be expressed with harmony

O`Olu`olu, meaning agreeable, to be expressed with pleasantness

H-Ha`aha`a, meaning humility, to be expressed with modesty

A-Ahonui, meaning patience, to be expressed with perseverance

This is why we live in Hawaii. This is why we live in the Aloha state.

It is time for each one of us individually, as well as everyone here collectively, to remember what being in Hawaii and what being Aloha is about. Aloha is about community. Community is Common-Unity. Aloha is about ohana. Ohana is family. Aloha is about inclusion, not exclusion. Aloha is about diversity, not intolerance, nor bigotry, nor hatred. My charge to all of you here today is to embody and begin practicing from this moment forward, the meaning of Aloha. Our charge from our universal Creator is to love one another.

Moving Marriage Equality forward in Hawaii nei is the pono thing to do. Marriage Equality is not about redefining or renaming the institution of marriage. It is simply about equal access to 1,000+ benefits, privileges and protections that become available to couples when they take vows to be partners in life.

Now is the time for Hawaii to demonstrate to the world what Aloha really means by passing Marriage Equality for everyone.

Ho'o maika'i ke akua

From: Hanchulsu@aol.com
To: [JDLTestimony-InPerson](#)
Subject: Testimony for October 28 by Charles L. Hill, Palolo Valley, 1557 Mokuna Place
Date: Friday, October 25, 2013 1:50:13 PM

TO: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place: Capitol Auditorium
RE: Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor-

Respected lawmakers, observers, supporters of gay marriage and detractors against, those opposed to my equal rights and you who support equality for every citizen in the State of Hawaii through government of the people, by the people, and for the people, *Aloha*. I greet you and ask only that you lay down your figurative swords and listen to my story.

The people have a voice. We citizens, every one of us, without exception, have a voice in you our elected legislators.

One April long ago when I was seventeen going on eighteen, I served as a counselor in a Billy Graham Crusade. With faith in God newly restored, I was in love with Jesus, read my Bible daily, met with other Christians regularly to pray, and I went to church to worship in community, enjoyed fellowship meals, and gave what I had to offer--- everything I could think of---to this one singular desire to love God with all my heart and soul and mind and strength--- and to love my neighbor as myself. A few months later near my eighteenth birthday just days after high school graduation and attending my elder brother's wedding, I set off on an adventure. With my mother and father's blessing, I found myself with a friend on a thousand mile drive to Dallas, Texas to participate in a gathering of more than 70,000 Christians from all around the world for a nine day long event called Explo'72. Nine days of learning and, for me, sharing my new found Christian faith. I sat under the voices of speakers like the Rev. Dr. Billy Graham, world-renowned evangelist, and on the final day of this enormous gathering, I attended an all day music festival in downtown Dallas on a construction site of a new major inner city freeway. Johnny Cash and Kris Kristofferson were among the many performers who performed that day. Billy Graham spoke again and they say we were a million strong. What a celebration of life it was!

Yet not everything was that good. Earlier in the week about halfway through the nine-day gathering, two nights in a row I had a very strange and disturbing experience. I ran into the same man twice. Middle-aged, hair cut short, dressed in a suit and tie in contrast to my tie-dyed T-Shirt, shoulder length hair, love beads, faded blue jeans and sandals. And where I encountered him was inside the Cotton Bowl Stadium where nightly 70,000 registered delegates and other visitors gathered to hear speakers like Dr. Graham give messages of faith and teaching about being a disciple, a follower of Jesus Christ. You see---everyone was invited to come. *Even this man.*

He caught me by surprise both nights. Each time I came face to face with him he was standing in one of the stadium entranceways to the seating areas. Both nights he was holding up a large Bible. Each time I met him it was unexpected, and it happened when I was on my way to and from the restroom. Each time I encountered him, he looked me right in the eye, spoke rapidly in tongues, or *glossolalia*, then, turning his face up as if listening, he immediately translated or interpreted in English what he had been speaking just before in an unknown language. And as he held up his Bible after looking me in the eye, he looked out at the vast crowd gathered inside the arena who were, like me, listening to a message of faith, hope and love. And then I heard the message he was giving to anybody who would listen. Both nights it was the same repeated with a vengeance.

He spoke loudly and sternly these words:

“MY GOD TOLD ME TO COME WITH THE SWORD AND WITH FIRE, AND I AM GOING TO KILL THEM ALL.” (Unknown speaker in Dallas, June 1976)

And with a cold chill running up my spine I realized I was hearing the message of religion gone very wrong, of good gifts of the Holy Spirit twisted for an unhealthy purpose. Those two nights I encountered the message of exclusion and hate and fear.

It was such a contrast to the love I was hearing about inside the Cotton Bowl as people were invited to learn together and experience the unconditional love of God. For an almost eighteen year old, the encounter with bad religion and a Bible used to spew out hate on others who were diverse and different as the whole wide world, in the midst of so much good will toward people on earth, I was profoundly affected. I realized then that religious zeal and my faith alone were not enough. I would have to use my mind and my heart fully if I was to be faithful to my calling- if I was really going to treat others with respect and dignity. No exceptions. Without excuses.

I knew then as I walked back to my seat in the Cotton Bowl and I know now I want nothing to do with bad religion that is hateful and violent, and that excludes others from the table. And now today at this special session I find myself coming again to a place where many people of my faith have gathered along with those of many different religious backgrounds, and some of you who practice having no religion. Again, like when I was seventeen I find that I am facing individuals and groups gathered to tell a message. For some, it is the message of inclusion and equal rights for all in the sight of the law. For others, the message is of exclusion, a message with a history of persecution, abuse, and discrimination against me, and others like me here in Hawaii where so much of our history is about the struggle to end discrimination, do justice, show mercy, and provide an equal platform for living and loving and pursuing happiness protected by good laws. The contrasting messages are as different as freedom and slavery.

I know that not all gathered here are like me-a Christian, male, mostly Caucasian, part Cherokee tribe native American, an artist, a former missionary to Korea where I worked for twenty years, and now a member of the Episcopal Church and worldwide Anglican Communion, a citizen and permanent resident of Hawaii. I know, too, that some of you here have been in committed relationships much longer than the seventeen years my partner and I have lived together, for better or worse, for richer or poorer, in sickness and in health, until death do us part--and every one of our commitments and promises matters and deserves recognition and protection by the laws of the land. And I am amazed and thankful that in my lifetime I see unfolding around the world, in many states in the USA, like in our home state here and now, I am learning of courageous acts of lawmaking and protecting the rights of the least and most oppressed minorities. Among us, it is happening. It is the result of people of good will coming together from many different national origins and religious backgrounds to support the ethical value and balanced, logical opinion we share that all human beings, every person from birth, you and I are all created equal with certain inalienable rights. Believing it to be true, how can we choose anything other than to recognize the love and commitment of two individuals under the laws of the land and protect that relationship through civil marriage sanctioned and protected by the state for every person who loves and pays taxes and resides in the State of Hawaii, and by extension, are citizens of the United States of America.

Clearly, this is my voice today and I am one of the people who vote so that you legislators can be in office today protecting every citizen's civil rights, and especially on the table today are the rights of the downtrodden who have been denied for too long rightful dignity and equal respect under the law.

It is simply beyond religion and must end as the last prejudice put down. It's common sense, and the way for people of integrity to go.

Early in my young adult civic and faith life, I experienced hurtful and bad religion and how religious people among us can be misguided by hate and fear and a lack of knowledge. They become part of a hateful mob doing exactly the opposite of what I understand as the most important and most basic at the root laws that I know for living life well and peacefully with others in society:

Love the Lord your God with all that you've got and do not ever cease to love your neighbor as yourself. These commandments are hard stuff to follow for the true believer in the goodness of love. I found that out one week ago when I came up unexpectedly upon someone who is persecuting me, someone who is openly my enemy, someone who opposes my partner and me having an equal right to marriage.

I am a citizen belonging to a gender orientation minority repressed and denied basic civil and human rights. Though

I love someone who is a member of this same minority, and we both pay our taxes, we are discriminated against every day in our state of residence so long as we are not allowed to choose to marry. I have come here to say, "It's not enough what we live under now." Unjust laws oppress and deny the harmless way we love, do not acknowledge the contributions we make together to make a better and healthier society, the lack of a bill passed to guarantee our right to marry denies the fact that the lives we live as families are as genuine and real as any other family. I have come here to say, "It is time to pass the law to give us-gay, lesbian, bisexual, transgender citizens-the legal right to marry. To stop the discrimination, the bullying, the use of bad thinking based on twisted religion or bad politics for selfish gain based on bad thinking----the time for change has come.

We have waited long enough for you legislators to exercise our voices, which are your voices, the voices of the people speaking in an orderly and decent fashion based on elections and our votes.

Last week Monday afternoon I was driving home from Kapi'o'lani Park. I had just passed behind the zoo and turned right at the corner headed toward home when I saw two sign wavers holding up their signs with the message, "Give the people a voice." I got caught just then at the traffic light across the road from where one of the sign-wavers was standing waving his sign in protest against the reason why people like me are here today. And so I did something unexpected. Since my car window was already down and I was caught at the traffic light, I had to speak my mind to my sign-waving neighbor across the way. This is what I said:

'Sir, No good change has come for any minority in history when the decision was left up to the people.'

Just as I finished speaking these words to my surprise a young woman who at that moment was walking by the sign-waver chimed in with perfect timing, exclaiming,

"EXACTLY!!!"

And as the light changed to green, I added these words before starting off for home.

"Sir, my partner and I have been together for seventeen years. We pay taxes just like you do. You are wrong."

And I pray today that such wrong and hurtful thinking and bad religion inappropriately applied to this civil issue of basic equal rights will be replaced by clear headed thinking and fairness for all. I believe a new day will soon dawn for my partner Frank and me, and countless others, our children, and our parents.

And so, perhaps, we need to take advice of a performer I heard once years ago, She said, "If you do not want gay marriage, don't marry one." For those of us-like Frank & me-who do want and need and deserve the right to marry-let it be.

Just let it be so. Let there be same gender marriage in Hawaii from this year. I ask you elected legislators to be the voice of the people for which you were elected to represent in office.

Open the prison gates and set the captives-those persecuted for no good reason---us, the minority here in your midst. I make my testimony on behalf of my partner Frank Lee and me, Charles Hill, and our many neighbors because it is the good and right and just thing to do. Set us free to marry

You can do this.
We can live this.
Thank you.

Submitted by *Charles L. Hill*
1557 Mokuna Place
Honolulu, Hi 96817

Aloha. I greet you and ask only that you lay down your figurative swords and listen to my story.

The people have a voice. We have a voice in you our elected legislators.

One April long ago when I was seventeen going on eighteen, I served as a counselor in a Billy Graham Crusade. With faith in God newly restored, I was in love with Jesus, read my Bible daily, met with other Christians regularly to pray, and I went to church to worship in community, enjoyed fellowship meals, and gave what I had to offer--- everything I could think of—to this one singular desire to love God with all my heart and soul and mind and strength—and to love my neighbor as myself. A few months later near my eighteenth birthday just days after high school graduation and attending my elder brother's wedding, I set off on an adventure. With my mother and father's blessing, I found myself with a friend on a thousand mile drive to Dallas, Texas to participate in a gathering of more than 70,000 Christians from all around the world for a nine day long event called Explo'72. Nine days of learning and, for me, sharing my new found Christian faith. I sat under the voices of speakers like the Rev. Dr. Billy Graham, world-renowned evangelist, and on the final day of this enormous gathering, I attended an all day music festival in downtown Dallas on a construction site of a new major inner city freeway. Johnny Cash and Kris Kristofferson were among the many performers who performed that day. Billy Graham spoke again and they say we were a million strong. What a celebration of life it was!

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I realized then that religious zeal and my faith alone were not enough. I would have to use my mind and my heart fully if I was to be faithful to my calling- if I was really going to treat others with respect and dignity. No exceptions. Without excuses.

And now today I find myself coming again to a place where many people of my faith have gathered along with those of many different religious backgrounds, and some of you who practice having no religion. Again, like when I was seventeen I find that I am facing individuals and groups gathered to tell a message. For some, it is the message of inclusion and equal rights for all in the sight of the law. For others, the message is of exclusion, a message with a history of persecution, abuse, and discrimination against me, and others like me. The contrasting messages are as different as freedom and slavery.

It is simply beyond religion and must end as the last prejudice put down. To do this is common sense and the expression of basic human decency, and the way for people of good intent and integrity to go.

I am a citizen belonging to a gender orientation minority repressed and denied basic civil and human rights. I love someone who is a member of this same minority, and we both pay our taxes, we are discriminated against relating to equal rights “It is time to pass the law to give us—gay, lesbian, bisexual, transgender citizens—the legal right to marry. To stop the discrimination, the bullying, the use of bad thinking based on twisted religion or bad politics----the time for change has come. The time for SB1 to pass has come.

Last week Monday afternoon I was driving home from Kapi’o’lani Park. I had just passed behind the zoo and turned right at the corner headed toward home when I saw two sign wavers holding up their signs with the message, “*Give the people a voice.*” I got caught just then at the traffic light across the road from where one of the sign-wavers was standing waving his sign in protest against the reason why people like me are here today. And so I did something unexpected. Since my car window was already down and I was caught at the traffic light, I had to speak my mind to my sign-waving neighbor across the way. This is what I said:

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“Sir, my partner and I have been together for seventeen years. We pay taxes just like you do. You are wrong.”

I believe a new day is dawning for my partner Frank and me, and countless others, our children, and our parents. A few years ago I heard a famous comedian comment on all the anti-gay fuss about equal marriage rights. She said, “If you do not want gay marriage, don’t marry one.” For those of us—like Frank & me—who do want and need and deserve the right to marry—let it be. *Just let it be so.* Open the prison gates and set the captives—those persecuted for no good reason---us, the minority here in your midst. This is my testimony on behalf of my partner Frank Lee and me, Charles Hill, and our many neighbors Please pass the law that sets us free to marry.

You can do this.

We can live this.

Thank you.

Submitted by *Charles L. Hill*

1557 Mokuna Place

Honolulu, Hi 96817



HAWAII STATE
COMMISSION
ON THE STATUS OF WOMEN

Chair
LESLIE WILKINS

COMMISSIONERS:
ELENA CABATU
JUDY KERN
MARILYN B. LEE
CARMILLE LIM
AMY MONK
LISA ELLEN SMITH

EXECUTIVE DIRECTOR
CATHERINE BETTS, JD

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October 25, 2013

To: Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair
Members of the Senate Committee on Judiciary and Labor

From: Cathy Betts, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Strong Support of SB 1, Relating to Equal Rights

On behalf of the Hawaii State Commission on the Status of Women, I would like to thank the Committee for hearing this bill and for the opportunity to testify in support. The Commission strongly supports marriage equality for all in Hawaii. Just this year, the United States Supreme Court held that Section 3 of the federal Defense of Marriage Act (DOMA) constituted unlawful discrimination and thereby violated the United States Constitution.ⁱ While Hawaii has always been ahead of this curve (*see Baehr v. Lewin*)ⁱⁱ, our own civil unions are not recognized under federal law and same sex couples are not allowed to marry. In turn, our GLBT community members are not treated equally under the law.

The Commission believes that all people should be treated with equality and respect. Hostility and violence towards our GLBT community very closely mimics hostility and violence towards women. As women are punished for not acting “female enough”, or “acting too male” and venturing out of the close confines of gender roles, our GLBT members are punished for not closely conforming to strict and unrealistic gender roles or for being gender non-conforming through a heterosexual lens. Additionally, this homophobia reminds boys to “toughen up”, stop “acting like a girl” and otherwise eschew any stereotypically female traits. This provides a disservice to both men and women in all relationships. Further, it narrows our view of what constitutes “normal”, limiting the broad spectrum of differences in the ways people express their individual sexuality and sexual orientation.

Marriage, as a social and cultural institution, is always evolving. What began in “traditional marriage” as a contract for chattel and a transfer of property ownership—where fathers of women to be married “transferred” ownership of their daughters to another man for a fee (e.g. money, property, land, animals, etc.) has completely evolved to suit a different reality. We can remember a time when something as common as inter-racial marriage was viewed as “abnormal”, “unnatural” and against the will of God—social views that supported the notion that these marriages should be illegal.ⁱⁱⁱ As no surprise, these restrictions on marriage were shot down as being inconsistent with our 14th Amendment, Equal Protection Clause.

Looking back on these landmark decisions building up to Windsor, our legislature has an opportunity to move towards a greater and more inclusive justice and equality for all of Hawaii's people.

As Dr. Martin Luther King, Jr. poignantly stated, "The arc of the moral universe is long, but it bends towards justice." We urge this Committee to continue on this path towards justice and pass marriage equality. We also urge this Committee to oppose any exemptions that weaken our public accommodations protections, which were enacted to prohibit illegal discrimination.

Thank you for your time and consideration.

ⁱ United States v. Windsor, 133 S. Ct. 2675 (2013).

ⁱⁱ Baehr v. Lewin, 74 Haw. 530, 852 P.2d 44 (1993).

ⁱⁱⁱ Loving v. Virginia, 388 U.S. 1 (1967).

Inga Park Okuna
Honolulu, HI 96822

Testimony in Support of SB1 (1 page)

As I listen to the radio on my drive to work, I have been hearing so many comments, ads, and conversations that aim at convincing Christians and non-Christians who have “strong personal beliefs” to contact their legislators about the same-sex marriage bill. I keep hearing similar themes of loss of religious freedom, and one Pastor Eldridge made some pretty strong statements about how children will be taught about alternate relationships in sex education and that parents can’t do anything about it. He even went so far as say that if you were a clerk at a marriage licensing desk and had strong religious or personal beliefs that same-sex marriages were wrong, you wouldn’t have a choice. You would have to treat everyone equally.

So I am writing to you tonight to state **my support for the same-sex marriage bill**. I have wanted to call the radio station on several occasions to interject a different perspective, but since I am driving, I don’t. I will however testify that parents have choices, they don’t have to sign the permission form for their child to receive sex education. I will also like to state that it really doesn’t matter what your personal beliefs are when you are performing your job. There are still people in the US who don’t believe in inter-racial marriages and I am glad that the law requires any clerk who feels that way, to still give out marriage licenses to inter-racial couples. It wasn’t all that long ago that civil rights laws were argued against by people who obviously must have thought they were in the right. People of color didn’t have rights and it amazes me to think how so many thought that was okay. Pastor Eldridge said living together outside of marriage was living in sin. It seems a bit ironic that he opposes allowing two people who love each other to get married.

It bothers me that people pick out Bible passages to “prove” homosexuality is wrong. It is sad that they don’t consider that there is more than one interpretation of the Scripture. For example, if one refers to the Strong’s Concordance (Strongs, 1996) on the specific words used for example in Genesis 19:1-5, the meaning of this passage and the story of Sodom and Gomorrah have been deliberately misinterpreted into English to be used to condemn homosexuality.

It is time for social justice. It is time to give a group of people equal rights, rights allowed others. Please stand strong in supporting what is right. Many of my friends and family feel the same. Those that oppose this bill are very vocal. They seem to miss the fact that a group of people have suffered discrimination and it is time to correct that.

My husband and I enjoy a life of privilege. We were able to foster and adopt children as a couple. We are able to inherit and receive other benefits solely bestowed upon married couples. We are able to publicly declare our relationship without fear of harm to ourselves or our loved ones. Those who so vehemently oppose this bill also enjoy a life of privilege and it is very sad that they seek to continue to deny others the same rights they take for granted. As a Christian, I believe that God loves all people. I have looked at other interpretations of the Bible that examine the original text and true interpretations.

From: [Suzette Gavin](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 5:59:18 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

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The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Suzette Gavin
1371 Kukana Place
Kailua, HI 96734

Aloha members of the senate,

My name is Brayden AKT Ramos, otherwise known as Kaleo and I am in support of the Senate Bill No. 1, Hawaii Marriage Equality Act of 2013.

As you meet to discuss the issue on same-sex marriage I strongly urge you to vote in support of the Senate Bill No. 1, Hawaii Marriage Equality Act of 2013, which will allow two loving same sexed persons in a relationship to marry.

My partner and I have been in a loving relationship for the past 5 years and look forward to spending a lifetime together with our son. We met a number of years ago through mutual friends and have been inseparable since. Our love story is has become a gem for us to continue the fight for Marriage Equality.

In 2008 Michael and I began our journey together. As I mentioned above we initially met through mutual friends. Since we've met I fell madly in love with him. It was everything about him, his kindness, his concern for others, his intelligence, his family; he is everything to me, next to my son. About two years after we met Michael and I had a strange discussion through text messages on our cell phones. As it turned out he felt the very same. Michael and I went through a lot together, from broken friendships that could not handle our relationship being within the circle of our friends, to those friends who stuck by us. Over the years, all of our friends are now in support of our loving relationship. As a couple we do many things. Michael is a HIV/AIDS prevention specialist in a non-profit agency and I am a special education teacher in the Department of Education, together as a couple Michael and I work within many programs that offer support/services to our GLBTQIA (gay, lesbian, bisexual, transgender, queer, intersex, and ally) youth. Aside from work we volunteer much of our time in our community. Two things that we stand by as we teach our GLBTQIA youth, we teach them to feel empowered and to advocate for the their own civil rights as citizens of the United States.

As I pass by the sign holders along the avenues of Hawaii urging the senate to "let the people vote" my blood begins to boil. The people did vote. The people voted for those who are holding office in the senate. The people's voice was heard and now you, the people who are in office, will make a decision on the fate of all same-sexed couples in Hawaii. You will make a decision that will affect those of us who have been together and committed in loving relationships of many years to decades. Although diverse, we are still worthy of being able to seal our relationships with marriage and become families.

Ultimately, Michael and I both believe that two people in a loving and committed relationship should be awarded the opportunity to solidify this union under a federal law-binding document such as a marriage license. We both want to have the same rights, benefits, protections, and responsibilities that come with marriage as they already do with heterosexual couples because it is our civil right.

Mahalo for your time,
Brayden AKT Ramos

October 24, 2013

Monday, October 28, 2013 –10:30 a.m.

Senate's Committee on Judiciary and Labor

State Capitol Auditorium

415 South Beretania Street

Honolulu, HI 96813

RE: STRONG SUPPORT for Senate Bill 1

Aloha Chairperson Hee and fellow committee members,

I strongly support SB 1 because:

1. It's a US Constitutional Right as stated in the June 27, 2013 US Supreme Court Decision;
2. Social Justice calls for respect and dignity of all human beings;
3. Our Hawai'i State Constitution calls for equitable treatment of all citizens;
4. Hawai'i Civil Unions do not qualify under US law for 1,000+ rights of marriage;
5. Hawai'i needs SB1 to continue it's reputation as the land of Aloha;
6. Ancient Hawai'i respected all sexual identities prior to influx of Christian missionaries;
7. 14 other states, DC, some Native American tribes and 15 other countries have legalizes Full Marriage Rights;
8. Lt. Frank Golojuch, fought in WWII for Liberty and Justice for all Americans and his own Grandson doesn't have Liberty and Justice;
9. My husband and I are 48 years married and want the same rights for our gay son and the rest of the LGBT community;
10. US Military LGBT couples are recognized as legal couples and need Hawaii to legalize marriage for them to receive Federal benefits;
11. Our LGBT couples and families are in valuable and loving relationships and need the legalization to qualify for Federal rights, responsibilities and benefits;
12. Those churches that value their LGBT members want to perform wedding

- celebrations to respect them and it's discrimination to refuse this right;
13. I love my gay son and have worked for 18 years for his and all my other LGBT friends liberty and justice;
 14. It's the right time for Justice.

Thank you for your consideration of this timely and important legal action.

Sincerely,

Reverend Carolyn Martinez Golojuch, MSW
Universal Life Minister, Wife of 48 years, Mother of a daughter and a gay son
Gomama808@gmail.com

From: [Chuck Huxel](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 10:23:16 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee, Vice Chair
Shimabukoro, and Members of the Committee on Judiciary and Labor:

I am in a wonderful marriage. The loving relationship my wife and I enjoy is a precious source of happiness and security in our lives. We are committed to each other, and our commitment is recognized and celebrated by our friends and family. Our commitment is recognized and guarded by the civil law of the larger community surrounding and including us as well. And we are assured and secure in that law.

So, now, I have to ask the question: Why are my gay and lesbian brothers and sisters who are in loving relationships not granted the same security and protection, the same civil rights, that our community grants to me and my life partner. Opponents of SB1 say that if this legislation is passed and enacted into state law, and that equal civil rights are thereby granted to my friends, it would somehow threaten our marriage. This is entirely false! Such a law, such a clear assurance of justice for all persons in committed and loving relationships, will not weaken the bonds of our marriage. On the contrary, it will enhance our marital joy and strengthen our ties to our larger community. We will celebrate the reality that our community is truly just.

I, therefore, ask you today to pass SB1 out of committee. I am hopeful that the Senate will pass the bill and that it will become law. Such an outcome, thereby extending equal civil rights to all, will surely grace our community with justice. Please do the right thing.

Respectfully,

Chuck Huxel

Chuck Huxel
99-1362 Hele Mauna Pl.
Aiea, HI 96701

From: [Amy Perruso](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 10:26:42 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

In Hawaii, we don't turn our backs on family. No member of anyone's ohana – gay or straight – should have to face shame because of who they are and who they love.

The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Amy Perruso
95-1319 Wikao St.
Mililani, HI 96789



First Unitarian Church of Honolulu

A Unitarian Universalist Welcoming Congregation
2500 Pali Highway, Honolulu, Hawaii 96817
Tel: 808-595-4047 Fax: 808-595-4037

Rev. Dr. Jonipher Kwong
Minister

Dave Hafner
President, Board of Directors

October 25, 2013

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place: Capitol Auditorium

Re: Strong Support of SB1, Relating to Equal Rights

Aloha e Chair Hee and Members of the Committee on Judiciary and Labor:

For two decades, Hawai'i has been debating the issue of marriage equality. For over six decades, our movement (Unitarian Universalism), has settled this debate by performing the first recorded same-gender blessing in New York during the 1950s. We have been advocating for marriage equality in almost every state since because our faith compels us to, not in spite of it.

We are part of a five-century tradition advocating for religious freedom. While we recognize each denomination can marry whomever they want to, with your help, those of us who have already been marrying same-gender loving couples for decades will finally have the freedom to do so here in Hawai'i as well.

Over the years, we have witnessed a sea change in public opinion. Our very own President Barack Obama, who went to Sunday School at the First Unitarian Church of Honolulu, eventually realized Civil Unions were not enough after witnessing the lives and loves of his gay and lesbian friends. I'm convinced many here in Hawai'i have experienced a similar transformation because we know of someone who is LGBT in our 'ohana.

The time to act is now. Together, we can ensure LGBT families are protected from the lack of protection when a partner is sick in the hospital, tax benefits that would make a huge financial impact, and even the effects of bullying. Every time we treat someone as second-class citizens, we diminish the human spirit and harm the rest of society. With you kokua, we can build stronger families in a society where the spirit of aloha prevails.

I urge you on behalf of Unitarian Universalists throughout Hawai'i Nei to pass marriage equality expeditiously.

Aloha no,

The Rev. Dr. Jonipher Kūpono Kwong
Minister

From: [Jess Glasser](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 11:02:39 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

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The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Jess Glasser
1600 Ala Moana Blvd Apt 2200
Honolulu, HI 96815

Senate Committee on Judiciary and Labor

Re: Hearing on October 28, 2013, at 10:30 am; Auditorium, 415 South Beretania St.

Aloha, Chair Clayton Hee, Vice Chair Maile Shimabukuro, and Committee members:

My name is Gary Okabayashi. I am also submitting this testimony on behalf of Lenny Zimmerman. We are both residents of and voters in the State of Hawaii and strongly support SB 1, Relating to Equal Rights.

I was born and grew up in Honolulu and attended public schools (I attended my 50th Kalani High School reunion in August of this year) and the University of Hawaii. Having worked both in Hawaii and New York, I am now retired. Lenny grew up and worked in New York City. We moved to Waikiki in 2007. In short, Lenny and I are typical residents of the State. We are family members and your neighbors.

Lenny is also my husband -- after 35 years as a couple, we flew to California at the beginning of this month and were married on Oct. 2. Since getting married before the end of this year was very important to us for federal tax purposes, we thought it best not to leave anything to chance. Additionally, with life's uncertainties, we did not want to delay even for a month having federal marriage benefits relevant to us (survivor and other benefits related to social security, taxes, medicare, etc.).

Marriage for same-sex couples is a matter of civil rights. A gay or lesbian person, like a straight person, should have the right to marry the person he or she loves.

Marriage for same-sex couples is also a matter of equality. We should have access to the same federal benefits that opposite-sex couples enjoy. For over 13 years, I have had to pay taxes on the health insurance and travel benefits that Lenny receives through my former employer. This has now ended with our marriage.

Finally, marriage for same-sex couples is a matter of fairness and aloha. No one should have to fly to another state to get married to get federal benefits. Indeed, some Hawaii residents cannot afford the expense of such a trip and would not be able to enjoy federal benefits unless we have marriage equality in Hawaii.

Lenny and I urge this Committee to act favorably with respect to SB 1.

Mahalo.

Sincerely,
Gary Okabayashi
1551 Ala Wai Blvd #2304
Honolulu, HI 96815

From: [Lisa Veneri](#)
To: [JDLTestimony-InPerson](#)
Subject: Strong support for SB1
Date: Friday, October 25, 2013 12:37:30 AM

To: Senate Committee on Judiciary and Labor
Hearing Date/Time: Monday, October 28, 2013, 10:30 a.m.
Place:Capitol Auditorium
Re:Strong Support of SB1, Relating to Equal Rights

Dear Chair Hee and Members of the Committee on Judiciary and Labor:

I am writing in strong support of SB 1.

The freedom to marry the person you love is a basic freedom that should not be denied to anyone. Gay and lesbian couples get married for similar reasons as everyone else – to make a lifetime promise of love, commitment and fidelity to the person they love.

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The government should not be in the business of telling people who they can and cannot marry. None of us would want to be told that it is illegal to marry the person we love.

Please pass this bill to allow for marriage equality for all of Hawaii's families.

Thank you for this opportunity to testify.

Lisa Veneri
215 Kawaihae St. #6
Honolulu, HI 96825

Anne K Fritz
91-555 Pupu Street
Ewa Beach, Hawaii 96706

The Honorable Clayton Hee, Chair
Senate Committee on Judiciary and Labor
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Hearing Date: Monday, October 28, 2013, 10:30 am
I will be present to personally deliver my testimony.

Re: In Opposition to S.B. 1: The Hawaii Marriage Equality Act of 2013

Dear Honorable Chair Hee and Members of the Committee on Judiciary and Labor:

My name is Anne Fritz and I urge you to OPPOSE Special Session SB1: Relating to Marriage.

1. Deciding the outcome of this bill in a special session preempts the democratic process by not allowing for the people of our state to voice our support or opposition to the changes as we did in 1998 when we decided to preserve traditional marriage as “a unique social institution based on the committed union of one man and one woman.”

2. I ask the lawmakers of our state to consider this issue better treated by the constitutional amendment process that would allow for due democratic process to take place because the outcome of this bill if passed will be irreversible and affect generations to follow.

3. It is my belief that the current bill will NOT protect church leaders, churches who define marriage as between one man and one woman and individual’s rights due to the stipulations in the public accommodations law. What church is not open to the public or encourage interaction with the community around them for marriages or other activities? This would limit church membership and their ability to be a functional part of their communities.

I urge you to vote NO on SB 1. Thank you for your time and leadership.

Sincerely,

Anne K Fritz, Hawaii Voter

From: mailinglist@capitol.hawaii.gov
To: [JDLWebTestimony](#)
Cc: RobinAllen270@gmail.com
Subject: Submitted testimony for SB1 on Oct 28, 2013 10:30AM (In Person)
Date: Saturday, October 26, 2013 10:20:50 PM

SB1

Submitted on: 10/26/2013

Testimony for on Oct 28, 2013 10:30AM in Conference Room Auditorium

Submitted By	Organization	Testifier Position	Testifying in Person
Katherine Lindsey	Individual	Support	Yes

Comments: Hi, my name is Katherine Lindsey and I support marriage equality because I am a teenager who is depressed and has suicidal tendencies. Now I know this doesn't seem to have anything to do with gay marriage but it will. I was suicidal, I have attempted to kill myself more then once and have written countless suicide notes. One night I was talking to a friend and she talked me out of suicide and has taken to stealing my heart, but we both have homophobic parents. Now I know you're think ing why do I care. You don't. I'm only 15 I can't vote yet, and I can't even drive yet. I have homophobic parents that sent me off to boarding school and I hate that I feel more at home among strangers then I do with family. I'm asking you to open the door to getting rid of homophobia so that me and my parents and my 13 siblings can be a family again. Please help me put my family back together.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

**GAY LESBIAN
BISEXUAL AND
TRANSGENDER
CAUCUS**



**DEMOCRATIC
PARTY OF
HAWAII**

October 26, 2013

Monday, October 28, 2013 – 3:00 p.m.
Senate's Committee on Judiciary and Labor
Hawaii State Capitol
Capitol Auditorium
415 South Beretania Street
Honolulu, HI 96813

RE: STRONG SUPPORT for Senate Bill 1 – Relating to Equal Rights

Aloha Chairperson Hee, Vice Chair Shimabukuro and fellow committee members,

Mahalo for the opportunity to testify in strong support of Senate Bill 1, the Marriage Equality Act of 2013, on behalf of the Gay, Lesbian, Bisexual, Transgender Caucus of the Democratic Party of Hawaii's (GLBT Caucus) over 1,000 members and supporters.

When the Supreme Court of the United States (SCOTUS) ruled in Windsor v. US that Section 3, of the so-called Defense of Marriage Act, was unconstitutional it made Federal Benefits available to all legally wedded gay and lesbian couples. In the subsequent rules and memos released from the IRS, the US Department of Labor and other federal agencies it was made clear that most if not all rights, benefits and responsibilities bestowed by the Federal Government to married couples would not be available to any couple, same-sex or opposite sex, if they were in a Civil Union, Domestic Partnership or Reciprocal Beneficiary. These are just a handful of reasons why the Caucus strongly supports the passage of Senate Bill 1 and why it is so important.

For example without access to Federal Benefits, LGBT couples cannot file joint Federal Taxes returns. They are also denied Social Security death and survivor benefits, and immigration rights, along with well over 1,100 benefits, rights and responsibilities.

Hawaii's LGBT couples are in a very unique position given that all you have to do is be married in one of the now 14 states that has Marriage Equality to get access to those Federal Benefits. Which means that justice and equality for LGBT couples is ONLY available to those couples that can afford to travel as well as take time off of work to one of those 14 states to get married. Justice and equality should not only be available to those that can afford to travel.

As for the notion that you should pass another Constitutional Amendment to "let the people decide" the issue of Marriage Equality. It is our belief that this would ultimately

GLBT Caucus Testimony is Strong support of
Senate Bill 1 – Relating to Equal Rights

not pass constitutional muster. For this would be putting the rights of the LGBT community, a minority, in the hands of the majority and this is something that the courts have ruled against, time and time again. The 1998 constitutional amendment was very clear, as was the decision of those voters, that the decision regarding Marriage Equality should be left in your hands and not left to the whim of the electorate.

The GLBT Caucus opposes any all changes to the existing Public Accommodation laws. All religious entities already have the best exemption and that is called the First Amendment of the US Constitution. This amendment ensures that no ordained minister will ever have to perform any ceremony that goes against his or her religious beliefs. It also ensures that no religion will have to rent out their places of worship. But when any religious group decides to use their places of worship as moneymaking entities by offering them for rent to the public, that being any non-member of their religion, then they have voluntarily entered into a public trust. That trust is encapsulated in Hawaii's Public Accommodations law, which states that no one can discriminate against anyone based on the State and Federally protected classes. This also goes for any membership driven society, like the Boy Scouts.

The GLBT Caucus agrees with the adage that 'Loves makes a family', but we know that Marriage Equality is desperately need to protect our families, ALL our families. We say all families because everyone has a member of their family that is a member of the LGBT community. While it is true not all families accept and welcome their LGBT family members, we are there nonetheless, and we deserve justice and equality just like everyone else.

So for all these reasons we ask that you support and pass Senate Bill 1 and make Marriage Equality a reality in the Aloha State, it is the right thing to do.

Mahalo nui loa,

Michael Golojuch, Jr.
GLBT Caucus Chair and
Male Rep. to the State Central Committee of the Democratic Party of Hawaii