



American Civil Liberties Union of
Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
www.acluhawaii.org



It's Time!

Annual Meeting & Bill of Rights Day Celebration

Sat., 12/13, 12:30-3 p.m.

Church of the Crossroads Weaver Hall
FREE, ADA-Accessible

DETAILS & RSVP INFO INSIDE!

YOUR ACLU: vigilant, independent, non-partisan. 50 years young in 2015!

P.O. Box 3410, Hon., HI 96801; FAX: 808.522.5909. Gifts to the [ACLU of Hawai'i Foundation](http://www.acluhi.org) underwrite public education & legal program work.
Donate online using PayPal at: <<http://www.acluhawaii.org/give>>.

RSVP by Fri., 12/5/14

24-hour RSVP line: (808)522-5906 (NI toll free 877-544-5906)

Request special accommodation by 12/5/14

Event is Sat., 12/13/14, 12:30 to 3:00 p.m.

YES! I will attend the FREE Annual Meeting!

___ # of ACLU-HI members

___ # of guests (public is welcome!)

Name(s) & email or phone of attendee(s) - in case of last-minute changes (hurricanes, volcanoes!):

Issues I would like to see discussed:

Non-Profit Org
U.S. Postage
PAID
PERMIT no.252
Honolulu, HI

RETURN SERVICE REQUESTED

My 2015 50th anniversary gift to the ACLU:

___ \$50.00

___ \$100.00

___ \$230.50 (\$0.50 cents per word in the Bill of Rights)

___ Other amount: \$ _____

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Day tel: _____

Join our email list?: _____

Charge card type (please circle one) VISA MasterCard

Cardholder Name: _____

Authorized Signature: _____

Card Number: _____

Expires: ____/____

Total amount to be charged: \$ _____

I prefer to give anonymously (mark here): ____



Hawai'i Youth Rights Guide debuts, input sought!

Knowing your rights is the first step to defending them. To raise awareness of youth rights as we move into our 50th Anniversary celebration year, ACLU-HI's legal team and volunteers have developed a "know your rights" guide for youth under 18.

It is a big topic, and we will be adding to it as we go, but we started with a guide aimed at students attending public schools in Hawai'i, and the parents or guardians, teachers and counselors supporting them. It is intended both for guidance on personal issues, and for those doing research. The guide is based on Hawai'i laws, with citations to key local and national cases which form the legal framework for youth rights today.

Working version of the guide: <http://www.acluhi.org/youthrights>

We're ready for feedback!

- Does the guide answer the questions important to you?
- Is the language clear and understandable?
- What's missing? What else would you like to see there?
- Does it display well on your device or computer?
- Is it indexed and searchable so you can find info fast?
- Other languages or disability accommodations that would be useful?

Send your feedback to: office@acluhawaii.org or call (808)522-5904 anytime. If you would like to volunteer to help set up a presentation for your school or club, let us know!

Learn more!
acluhi.org/youthrights

• Equal treatment of boys' and girls' sports by our public schools is the law.

• Access to school for students experiencing homelessness is federally protected.

• Youth 14 + can access birth control & STD treatment w/o parental notice.

• Students can express religion at school, but schools cannot promote any religion.



Annual Meeting & Bill of Rights Day Celebration!

Sat., 12/13, 12:30-3p.m.

Church of the Crossroads, Weaver Hall
FREE, public welcome! RSVP by Dec. 5.

Planned program:

12:30 p.m.: Registration, snacks (incl. vegetarian)

1:00 to 1:30 p.m.: Membership Meeting

1:30 to 3:00 p.m.: Breaking updates & developments, legal report, conviviality.

Church of the Crossroads, 700 University Ave., Weaver Hall. See reverse for RSVP form and details. RSVP by Dec. 5: 808-522-5906, office@acluhawaii.org. Request special accommodation by Dec. 5. Church of the Crossroads Weaver Hall is ADA-accessible. Neighbor islanders on Oahu this day call 1-877-544-5906 toll free to RSVP, or we hope to see you on your island when we road trip in 2015 - check back for details!



Legal update

Your ACLU, fighting injustice in Hawai‘i courts & communities!

ACLU lawsuits make the news - and we love seeing civil liberties in the spotlight - but we go to court as a last resort. The majority of civil liberties complaints we take on (out of about a thousand confidential inquiries a year!) are resolved quietly, through a conversation or administrative remedies. It is only after these remedies are rejected that we take a case public and to the courts, powered by your donations and the pro-bono help of Hawai‘i’s best & brightest lawyers. To contact the ACLU-HI legal program, you can write to office@acluhawaii.org, fax to (808) 522-5909, or write P.O. Box 3410, Honolulu, HI 96801. On our website, see the top tab "Need Legal Help?" for info.

STATEWIDE VICTORY • State improves, clarifies permitting rules: The ACLU and **Chun Kerr** attorney **Alexandra Rosenblatt** filed - and quickly settled - a 1st Amendment lawsuit in 2014 challenging opaque and restrictive rules governing demonstrations in public spaces like the Hawai‘i State Capitol Rotunda.

STATEWIDE VICTORY • Protecting "Open Records" process: Filed a lawsuit in 2013 challenging the Department of Public Safety’s failure to comply with Hawai‘i’s “open records” law; the Court granted the ACLU’s motion for summary judgment and ordered the Department to produce the records, and the case settled earlier this year.

STATEWIDE VICTORY • Access to legal counsel: Along with the **Hawai‘i Appleseed Center for Law & Economic Justice** and the **Legal Aid Society** (and with substantial assistance from the **National Coalition for a Civil Right to Counsel**, part of the Public Justice Center), filed an amicus brief in a case involving the appointment of counsel for parents in abuse and neglect proceedings. In early 2014, the Supreme Court unanimously ruled that courts must appoint counsel for indigent parents in these proceedings, and the State violated the parent’s right to due process by not appointing her an attorney earlier.

STATEWIDE VICTORY • Search and seizure: After four years of litigation, including a successful appeal to the Board of Immigration Appeals, made inroads to obtain justice for clients who had federal agents enter – and refuse to leave – their home.

STATEWIDE, ONGOING • Privacy and bail: With the **ACLU Criminal Law Reform Project** and **Georgette Yaindl of Preventive Law Hawai‘i**, filed a Petition for Writ of Mandamus with the Hawai‘i Supreme Court in 2013 challenging the imposition of random drug testing as a condition of bail. We continue to look for similar cases to fully litigate the issue.

STATEWIDE, ONGOING • Prison conditions: With the **Human Rights Defense Center** and **Rosen Bien Galvan & Grunfeld**, we continue to litigate a case against the State of Hawai‘i and the for-profit Corrections Corporation of America arising out of the murder of a Hawai‘i prisoner at a CCA facility in Arizona.

STATEWIDE • Voting rights: Filed a lawsuit on behalf of Puna residents denied the right to vote in the wake of Hurricane/Tropical Storm Iselle because they were physically unable to reach the polls. Although the Hawai‘i Supreme Court dismissed the case, we plan to work with the Legislature in the 2015 session to pass measures protecting the right to vote, even during a natural disaster.

STATEWIDE • Separation of church and state: Challenged the Preschool Open Doors program for lacking safeguards to ensure that public money is not used for religious instruction. After receiving additional information from the Department of Health and Human Services about the practices of the program, the ACLU voluntarily dismissed the case.

Hawai‘i ISLAND VICTORY, ONGOING • TRO granted in county "panhandling" case: Won a Temporary Restraining Order preventing County Police from enforcing "panhandling" ordinance against plaintiff **Justin Guy** of Kona. Guy, who is experiencing homelessness, was harassed by police, given a criminal citation, and forced to go through criminal proceedings for holding a sign (which, of course, is protected by the First Amendment). The case heads back to court in February.

MAUI VICTORY • Free speech applies to government employees, too: Popular “MAUIWatch” Facebook feed founder **Neldon Mamuad**, represented by the ACLU and cooperating attorneys **Marcus Landsberg IV**, **Sam MacRoberts** and **Phillip Lowenthal**, filed a lawsuit against Maui County. The parties settled the case, and the County agreed to revise workplace policies to better protect the free speech rights of County workers.

MAUI VICTORY • Signwaving laws overly broad, chill speech: Settled a federal lawsuit against Maui County over its unconstitutional restrictions on sign-waving along public roadways in 2013. The ACLU went back to court in 2014 to make sure the County complied with the terms in the settlement agreement.

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... Legal update, continued ...

MAUI ONGOING • 1st Amendment issues at public sidewalk fronting Maui Fair: **Pastor Strat Goodhue** and his wife **Doreen** are plaintiffs against Maui County after being ejected from a public sidewalk for handing out leaflets. ACLU Hawai‘i and **Davis Levin Livingston** attorney **Matthew Winter** are representing them.

MAUI ONGOING • Invasive health screenings of County workers: Actively seeking plaintiffs for a lawsuit to challenge Maui County’s practices of requiring all job applicants to submit to unconstitutional, suspicionless drug tests as a condition of employment.

2015 Legislative priorities

(in development)

Your ACLU, protecting and advancing civil rights with local lawmakers!

Each year we scan and assess measures introduced by the Hawai‘i state legislature and the county councils, looking for any impact to civil rights in Hawai‘i, and respond accordingly. Additionally, we set affiliate priorities toward worthy challenges on the horizon. We look forward to a lively legislative session in 2015, and invite supporters to get involved. To find out what we are working on, calls for testimony, legislator contact, or rallies, please follow us on Facebook (ACLUHawai‘i) or Twitter (@acluHawai‘i) or join our confidential email list by sending your email address to addme@acluhawaii.org.

Medical Marijuana Dispensaries

The ACLU of Hawai‘i is a member of a legislatively created Task Force (which has been meeting regularly since June 2014) charged with making policy recommendations for legislation to create medical marijuana dispensaries. Current medical marijuana laws in Hawai‘i require that a patient or his/her designated caregiver cultivate their own medical marijuana, placing undue hardship upon the seriously ill. Long-overdue legislation to implement a dispensary system will provide patients with a safe, legal, and regulated way to obtain their physician-recommended medication.

Voting Rights

When Hurricane/Tropical Storm Iselle devastated the Puna district of Hawai‘i Island, many residents were physically unable to reach their polling places to vote in the Primary Election due to downed trees and power lines. The ACLU of Hawai‘i intends to push to reform Hawai‘i’s voting laws to guarantee that the fundamental right to vote is protected in the future, even during a natural disaster.

Prison Reform

The ACLU of Hawai‘i is committed to eliminating over-incarceration, particularly of pre-trial detainees – persons who have been arrested for, but not yet convicted of, a crime – who do not pose a threat to the community. This, in turn, will reduce overcrowding, decrease costs, and offer an alternative to building additional prisons. We intend to focus on legislation regarding pre-trial detention practices this session.

Media Shield

The right of journalists to keep sources confidential is a critical part of maintaining a free press. The ACLU of Hawai‘i is working to pass a law that will shield journalists from government demands to divulge sources. Hawaii’s law expired last year, and we intend to push to reinstate the law this year.

ACLU Hawai‘i • News & Info
President: Barbara Ankersmit
Executive Director: Vanessa Y. Chong

ACLU Hawai‘i News & Info is sent to members and supporters of the American Civil Liberties Union of Hawai‘i ("ACLU of Hawai‘i"). This is not a subscription publication. We do not accept unsolicited articles or advertisements. For information about becoming a member of the ACLU, please contact us.

The ACLU of Hawai‘i is comprised of two separate corporate entities, the ACLU of Hawai‘i and the ACLU of Hawai‘i Foundation. Both are part of the same overall organization. This newsletter collectively refers to the two organizations under the name "ACLU of Hawai‘i,"

whose mission is to protect the civil liberties contained in the state and federal constitutions through litigation, legislative and public education programs statewide.

The ACLU is funded primarily through private donations and offers its services at no cost to the public. The ACLU does not accept any government funds.

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