

### Inside!

- 2018 Annual Meeting!
- What we've been working on
- ACLU in the community



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Leading freedom forward in Hawai'i nei since 1965.  
Non-profit & non-partisan, the ACLU champions civil  
rights & civil liberties for all.

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## Annual Membership Meeting and Bill of Rights Day Celebration Thursday, 12/13/18, 5:30–7 p.m.

**Please join us, bring a friend! FREE & OPEN TO THE PUBLIC**

Neal S. Blaisdell Center O'ahu Room (777 Ward Avenue)  
RSVPs and/or special accommodation requests helpful by Tuesday, 11/20/18.  
Walk-ins also welcome! Blaisdell Center is ADA-accessible.  
**Reserve online:** <https://2018AMM.eventbrite.com>;  
**call:** (808) 522-5906; or **email:** [office@acluhawaii.org](mailto:office@acluhawaii.org)

Streaming  
on  
Facebook  
Live!

It's been an eventful year for the defending the Constitution  
from both local and national attacks.

We are especially proud of a few team highlights:

- Fighting **Title IX violations** against female athletes by the State Department of Education;
- Publishing a preliminary report on how the **current system of bail in Hawaii's criminal justice system** favors the rich, with a final report to follow soon;
- Conducting "know-your-rights" trainings and community action seminars to support **immigrants' rights** groups on O'ahu, Hawai'i Island and Maui;
- Having on-the-ground discussions about their legal and constitutional rights with Honolulu's people experiencing **housing insecurity** and due process violations in Chinatown, Kaka'ako, Waimānalo, and more;
- Filing a federal lawsuit with a plaintiff from Waimea, Kaua'i to advance **reproductive freedom** by expanding access to the abortion pill nationwide;
- Working to protect **voting rights** for residents of Pāhoa impacted by the volcanic devastation on Hawai'i Island;
- Publishing a **comprehensive 2018 voting rights** guide;
- Fighting the **criminalization of houselessness** by the City and County of Honolulu;
- Holding and livestreaming **panel events** on abortion

access and the harms of Hawaii's bail system with local and national experts;

- Starting a series of **community civil rights talk story sessions** on Kaua'i, and more to follow;
- Fighting against **religious discrimination** in county government in Hilo and in private facilities on Oahu;

In 2018, people from all walks of life have reached out for ACLU's kōkua: refugees and immigrants, photographers, small business owners, protesters, students, incarceration-involved people, lawmakers, students, kupuna...and the list continues.

As always, **the ACLU of Hawai'i is here for everyone** whose rights are in danger.

Join us Thursday, December 13, 2018 for breaking updates on all aspects of our work – and celebrate the 227th anniversary of the ratification of the Bill of Rights! Share your views, join your fellow civil rights defenders, and find out how you can become even more engaged with our civil rights work.

We look forward to seeing you! E komo mai!



### Volunteers for the win!

A heartfelt mahalo to the many volunteers whose kōkua makes the ACLU of Hawaii's work a part of our island community. From our all-volunteer Board of Directors (from O'ahu, Maui, Kaua'i and Hawai'i Island) and committee volunteers, to our friends in PeoplePower.org (the ACLU's grassroots volunteer corps), to the diverse and fabulous army of brave plaintiffs and whistleblowers, interns, legal fellows, coders, sign wavers, marchers, testifiers, artists, activists, protesters, "like" clickers, social media influencers, advocates and allies of the marginalized, donors, and more: **we love you.**

Want to get even more engaged? Let us know – we'd love to chat. [office@acluhawaii.org](mailto:office@acluhawaii.org)

### My kōkua (help) toward ACLU's work for fundamental rights:

Tax deductible. Make checks payable to "ACLU–HI Foundation" and mail to P.O. Box 3410, Honolulu HI 96801.  
To give online via PayPal, visit: [www.acluhi.org/donate/](http://www.acluhi.org/donate/) to give by phone, call us!: (808) 522-5904.

Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Day tel: \_\_\_\_\_ Email: \_\_\_\_\_ Add to email list? Y/N

\_\_\_ \$53.00 (\$1 per year of the ACLU of Hawai'i!) \_\_\_ \$100.00

Other gift amount: \$ \_\_\_\_\_ (gifts of any size are needed and welcomed, mahalo!)

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### Aloha 'oe to outgoing Executive Director Vanessa Chong!

At the helm for 36 remarkable years, Vanessa guided us from modest beginnings to where we are now through her mix of passion, dedication, and steadfastness that became legendary among our supporters locally and across the country. Under Vanessa's leadership, we made Hawai'i a better place in landmark actions:

- Fighting inhumane prison conditions in *Spear v. Waihe'e*;
- Stopping brutal treatment of LGBTQ+ wards at the Hawai'i Youth Correctional Facility in *R.G. v. Koller*;
- Ending exclusion of houseless keiki from public schools in *Kaleuati v. Tonda*;
- Stopping the destruction of seized personal property in *Martin v. City and County of Honolulu*;
- Standing strong and advocating for full marriage equality;
- And the list goes on, as does her legacy!

**We wish Vanessa all the best in her well-deserved retirement and thank her for her decades of impactful work! A hui hou!**



Into the future with strength, reach, & results

Our mission to build a more just society by defending and promoting everyone’s constitutional rights must be ready to move forward into Hawaii’s future. Always keeping an ear to the ground for your feedback and ideas, we’ve asked a number of questions over the last year or so as our office has been going through its own transitions:

*How can we better advance civil rights in Hawai‘i? What are we doing well, and where can we do better? How can we engage more local civil libertarians? People who need us most in Hawai‘i may not know we exist – how can we connect?*

We’ve heard that your ACLU must be:

**On the ground.** *Be where rights are being violated. Bear witness and stand with allies, with all whose rights are fragile or oppressed. Meet people where they are.*

**A change maker.** *Strategize on "big lifts" and – alongside allies and community members – help build transformational, "big wave" movements (like S.B. 1 establishing marriage equality in 2013).*

**Vigilant.** *Bring the good fight daily as civil rights get threatened on multiple fronts both local and national.*

**Powerful, honest and durable.** *Never compromise on fundamental rights. If we take it on the chin, get up and try another way. Never stop fighting for people who can’t fight for themselves.*

**Of the people, by the people.** *You want to help, both as a financial supporter and, for many, as a volunteer. You have skills and passion – we need to use them.*

LET’S DO THIS!

Here’s a "big lift": Cut in half the number of people locked up in Hawaii’s jails and prisons, while confronting institutional racial and class bias in the criminal justice system. We are part of a nationwide effort spearheaded by

the ACLU and allies called the "Smart Justice" campaign (#smartjustice). The first target in Hawai‘i is reforming our bail system, which overloads our jails with people who cannot afford money bail. Wealth is no way to determine if someone is a threat to public safety, but right now wealth is the main factor determining if you wait in jail or walk free. This campaign will integrate the skills of our legal, advocacy, and public education efforts.

**Building the team.** With the addition of Staff Attorney **Wookie Kim** and Legal Fellow **Rae Shih**, we’ve beefed up our legal staff for fast response to emergent issues. We’re hiring a **Smart Justice Campaign Director**, a **Policy Director** to deepen our impact at the Hawaii State legislature and with City and County Councils statewide, a **Smart Justice Field Organizer** to build the coalition, a **Communications Manager** to help boost our signal, and a **Development Director** to help build our capacity to make an impact for years to come.

**Easier to reach, easier to find, easy to talk to.** We’re ramping up our public appearances, our own and partner events and talk story meetings, and our work with local publications – all complemented by our presence online, which includes more livestreaming and interactivity for broader reach of our events. Join us on Facebook, Twitter, and Instagram. Keep an eye out in 2019 for a redesigned website and a civil rights assistive web app (in development with the skilled volunteers at our local Code for Hawai‘i brigade) as we strive to make information about your rights more mobile, more accessible, and more useful.

**Back to the roots.** Along with great support from local People Power grassroots volunteers, we’re reinvigorating our volunteer engagement program, looking to loop in your unique skills on all islands. And, thanks to the support of a special donor, we will be rolling out new opportunities for youth to advance civil rights locally. If you already approached us, we’ll be reaching out. If not, please let us know your interest by emailing [office@acluhawaii.org](mailto:office@acluhawaii.org).

2018 highlights: Advocacy, Legal, and Education Programs

Our **Advocacy Program** lobbies state and local lawmakers on bills, measures, rules or policies that affect civil rights and civil liberties. **2018 advocacy work includes:**

VICTORY – establish a **law enforcement standards board** (Hawai‘i was the last state without one!).

THE FIGHT CONTINUES – **prevent the criminalization of homelessness** by the Mayor and City Council.

THE FIGHT CONTINUES – establish **state-level protections against gender discrimination**.

THE FIGHT CONTINUES – establish **meaningful reform of bail practices** in our criminal justice system;

VICTORY – stop Hawaii’s legislature from endorsing a nationwide **"Article V" constitutional convention**.

VICTORY – encourage Hawaii voters to protect the constitution and **reject a ConCon**.

NEW – **monitoring proposed "anti-bullying" policies** at our public schools for potential civil rights violations.

The **Public Education Program** gets civil rights information out into the community. **2018 work includes:**

EVENTS (always livestreamed if we can) – talk story on Kaua‘i; panel event on abortion rights policy with visiting speaker **Julia Kaye** and plaintiff **Dr. Graham Chelius**, moderated by **Diane Ako**; panel event on bail policy with guest speakers **Twyla Carter**, **Seth Stoughton** and **Kirsha Durante**. Supported local allies in their own events on bail reform, LGBTQ+ rights, harm reduction, and homelessness.

RESOURCES – 2018 voting rights guide, focuses on the voting rights of often–marginalized populations.

Our **Legal Program** strengthens civil rights by challenging laws, rules and practices that violate the Constitution. When possible, matters are resolved without litigation. Lawsuits are always a last resort, but when we do file cases, representation is always at no cost to our clients. **2018 legal work includes:**

EARLY FINDINGS PUBLISHED – A preliminary report on **Hawaii’s bail practices** reveals two tiers of justice: one for the wealthy and one for the rest. As a result, over half of the people in our jails at any time are pretrial detainees, most of whom simply cannot afford even low bail amounts.

FEDERAL LAWSUIT FILED – *Chelius v. Azar*, on behalf of plaintiff **Dr. Graham Chelius** – challenging FDA restrictions on the abortion pill Mifeprex.

DEMAND LETTER SENT – On behalf of Hilo resident **Laycie Tobosa**, a Muslim woman who was illegally denied a driver’s license for over 13 weeks by the DMV for refusing to remove her hijab.

DEMAND LETTER SENT – Successfully urging the Hawai‘i Office of Elections to **abandon its plan to close the polling place for Puna residents** affected by the Kilauea volcanic eruptions.

DEMAND LETTER SENT – Calling on the State Department of Education to **stop violating Title IX** and provide for equal facilities for female athletes in all Hawai‘i schools.

DEMAND LETTER SENT – Calling on Kāhala Nui Retirement Community to **stop violating the federal Fair Housing Act and Hawaii’s public accommodation laws**. Kāhala Nui’s memo prohibiting residents from accessing Hawaii’s new medical aid in dying program, claiming objections from the Catholic Church, discriminates against tenants who disagree and want to consider accessing the program.

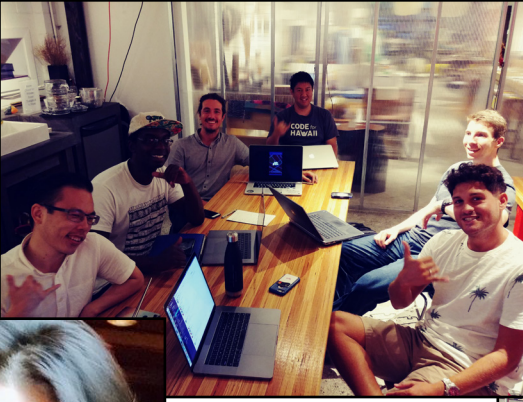
Your ACLU in action! We're grateful for every opportunity to talk civil rights with the community! To ask about an ACLU speaker for your group, call us!



Above: Staff attorney Wookie Kim with a class at Kapi’olani Community College; right, lower: Homebrew in Paradise owner Bill is participating in the People Power beer campaign, joining dozens of breweries around the country to develop a custom beer to celebrate civil rights, mahalo!



Above: Executive Director Josh Wisch helps celebrate Korematsu Day, joining a talk with Karen Korematsu, Fred’s daughter. Right, lower: Welcome on board! Our new Legal Fellow, Rae Shih, joins our office for a year thanks to the Penn Law Fellowship at the University of Pennsylvania, and will focus on civil rights issues surrounding school discipline policies.



Above: Code for Hawai‘i brigade volunteers geeking out on a secret open source project to improve public access to public spaces! Right, lower: Protesters speak out at a spontaneous rally against the Supreme Court decision to uphold parts of the Trump Muslim Ban, Executive Director Josh Wisch was one of the speakers this day on the lawn of the Federal Building.



Above:top The Hawai‘i Youth Delegation to the 2018 Membership Conference in Washington, D.C. – we were honored to host this feisty group of engaged young people to share the aloha with the ACLU ‘ohana! Mahalo Elise, Joey, Alike, Kaylee, Julian, Ariyana, and Tapu! Above, lower: Speakers at our event “#EndMoneyBail for a Better Hawai‘i and a Better Nation.” Big mahalo to Seth Stoughton, Twyla Carter, Mateo Caballero and Kirsha Durante!



**ACLU Hawai‘i News**  
President: **Marianita Lopez**  
Executive Director: **Joshua A. Wisch**

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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, advocacy and public education programs statewide. Funded primarily through private donations and offering its services at no cost to the public, the ACLU does not accept government funds.

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