



ACLU Hawaii hosts national Legal Director Steve Shapiro for Public Forums

"Reclaiming the Constitution: Justice, Equality and the the Rule of Law"

National ACLU Legal Director Steve Shapiro makes a return visit to Hawaii to share his unique perspective on the U.S. Supreme Court. Much has changed since his last visit. Hear about erosions to constitutional freedoms during the "war on terror," key civil liberties cases facing the Supreme Court challenging the unprecedented power grab by the Executive branch since 9/11, the effect that the makeup of the court will have on these cases, and the ongoing impact on our legal system of the highest court in the land.

Join us for a rare opportunity to hear first-hand from an engaging and dynamic speaker - one of America's foremost authorities on constitutional law - and to be inspired by the ACLU's tireless legal efforts defending and protecting our Bill of Rights.

Shapiro directs a staff of approximately 90 full-time lawyers for the ACLU who maintain a large and active

docket of civil liberties cases around the country. Those cases cover a broad range of issues, including: free speech, racial justice, religious freedom, due process, privacy, reproductive and women's rights, immigrants' rights, LGBT rights, voting rights, prisoners' rights, and the death penalty.

Shapiro has been the ACLU's Legal Director since 1993 and Associate Legal Director from 1987-1993. During that time, he has appeared as counsel or co-counsel on more than 200 ACLU briefs submitted to the United States Supreme Court. Shapiro is an adjunct professor of Constitutional Law at Columbia Law School and a frequent speaker and writer on civil liberties issues. He serves as a member of numerous social justice organizations, including the board of directors of Human Rights First, the Policy Committee of Human Rights Watch, as well as the Advisory Committees of the U.S. Program and Asia Program of Human Rights Watch.

CLIP & SAVE! CLIP & SAVE! CLIP & SAVE!



2008 Statewide Forum Series
Featuring national ACLU Legal Director **Steven Shapiro**

"Reclaiming the Constitution: Justice, Equality & the Rule of Law"

All events are FREE and open to the public. All locations are ADA accessible.

Maui: Weds., 10/22 5:30-7:00PM, **Public Forum**, Kihei Community Center. 303 Lipoa St. Free parking.

Kona: Thurs., 10/23 5:30-7:00PM, **Public Forum**, King Kamehameha Kona Beach Hotel. 75-5660 Palani Rd. \$2 validated parking.

24-hour RSVP line: (808)522-5906
RSVP via fax: (808)522-5909
Email: office@acluhawaii.org



Watch for a separate "Ohana Alert" mailer for details on Steve Shapiro's Oahu speech at the 2008 ACLU of Hawaii Annual Meeting!



Inside this issue:

- Maui youth & parental rights protected
- Some creative ways to give to your ACLU
- Call for volunteers for Bill of Rights Day '08
- School starts getting more fair for homeless keiki
- Alohas & mahalos to our amazing 'ohana
- Should newsletter go digital?

Your opinion please!

RETURN SERVICE REQUESTED

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



ACLU of Hawaii welcomes national Legal Director Steve Shapiro!

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ACLU Hawaii – non-profit, non-partisan, accepts no government funds. Continually serving statewide since 1965. P.O. Box 3410, Honolulu, HI 96801 Phone: 808.522.5900. Your tax-deductible donation underwrites public education & legal program activities in Hawaii. Please make your check payable to the [ACLU of Hawaii Foundation](http://www.acluhawaii.org). **Thank you!**

- \$43.00 (\$1 per year ACLU of Hawaii has served in paradise!)
- \$115.25 (\$0.25 cents per word in the Bill of Rights)
- Other amount: \$ _____

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'Ohana Fundraising



Foodland's "Give Aloha" annual community matching gifts program runs September 1 thru October 1, 2008. Donate directly to the ACLU of Hawai'i (code 77407) at the checkout counter. **Foodland** will match up to

a cumulative total of \$300,000 for all of the participating organizations. If donations for all charities exceed \$300,000, the matching gift will be divided proportionally among participating organizations, boosting your gift. Last year ACLU supporters donated over \$1200 through Give Aloha! (Remember: Give Aloha donations are anonymous unless you inform us of your gift.)

Foodland's Give Aloha runs 9/1/08-10/1/08.

ACLU Hawai'i code: **77407**



Aloha United Way's "Donor Choice" program lets you donate to select non-profits year round (program runs 9/2/08 to 10/10/08 - Ed. 9/25/08). Aloha United Way invests ONLY in programs that are accountable and deliver results, making strides towards significant change in

our community. Does your company have a matching gifts program? Your ACLU of Hawaii donation could be boosted even more. Ask about Donor Choice at work! Visit www.auw.org

AUW Donor Choice runs year round.

ACLU Hawai'i designation code: **71110**



Buying? Selling? Here's a nifty way to give! Since 2000, real estate agent and dedicated civil libertarian **Paula Myers** has donated a generous portion of her commissions from ACLU referrals to support ACLU of Hawai'i Foundation programs. Myers has been

active with the local ACLU since 1985. email Paula Myers: paula.myers@pruhawaii.com

office: (808)735-4200
cell: (808)284-0287
direct: (808)735-8638



Safeguard freedom's future through planned giving. Our core American values of freedom and fairness have been dramatically eroded by torture, CIA kidnappings,

secret prisons and government spying on ordinary Americans. These abuses of government power will take years – possibly generations – of hard working advocacy to repair. Thankfully, your commitment to your ACLU can carry forward well into the 21st century as a planned gift. Join thousands of other dedicated civil libertarians in rising to meet the **Legacy Challenge**, by including the ACLU of Hawai'i Foundation in your will or estate plan by May 31st, 2009.

Contact Executive Director
Vanessa Chong

THE LEGACY CHALLENGE
DEFEND FREEDOM TODAY
WITH YOUR GIFT FOR THE FUTURE

Youth Rights



The Maui County Council modified its juvenile curfew ordinance in response to community complaints and a subsequent warning by the ACLU that it violated a number of state and federal constitutional rights, including the right to privacy, the right to equal protection of the laws, the

right to due process and the First Amendment rights to freedom of speech, freedom of expression, freedom of assembly, and freedom of association.

"The Constitution simply does not allow the government unfettered discretion to dictate when or whether people can leave their homes," explained **Laurie Temple**, Staff Attorney for the ACLU. "Parents have a right to set a curfew for their children. Under the old ordinance, a minor wanting to attend midnight mass could have been arrested." The amended ordinance, signed into law by Maui County Mayor **Hannibal** (apologies for this error. -Ed, 9/25/08.) **Charmaine Tavares** on July 28, 2008, allows a minor to be out past the County-imposed curfew time if a parent, guardian, or other adult authorized by the parent or guardian permits, or if the minor is engaged one of a number of exceptions including work, emergencies and for exercising rights protected by the First Amendment to the State and Federal Constitutions, including travel to and from the location where such rights are exercised. Protected First Amendment rights include the free exercise of religion, freedom of speech, and the right to assemble. Read more about Maui county's progressive ordinance changes on our website: <http://www.acluhawaii.org>

ACLU Hawai'i

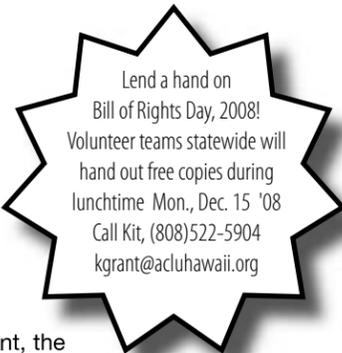
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Editor: Kit Grant
Contributors:
Laurie Temple, Dan Gluck
feedback:
office@acluhawaii.org

We depend on you!

As a watchdog of government, the ACLU accepts no government funds & relies on your grassroots support as a volunteer and/or donor! Your gift today to the **ACLU of Hawai'i Foundation** funds educational & legal programs in Hawai'i.

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'Ohana News

...mahalo to the volunteers @ supporters who make the ACLU strong!

Spring 2008...Mahalo to fearless civil liberties and prison rights advocate **Kat Brady**, who served as a contract-coordinator for the ACLU of Hawaii legislative program. Advocacy continues with capable leadership from our volunteer Legislative Committee and Staff Attorney **Laurie Temple**...**Palolo Lions Club** hosted an ACLU of Hawai'i speaker. Thanks to **Lion Dwight Ovitt** for setting up the presentation. 2008-2009 **Amicus Club** fundraising campaign kicked off! Thanks to this year's all-volunteer, all-attorney committee: **Nadine Ando** and **Roger Fonseca** (co-chairs), **Wesley Chang**, **Charles W. Crumpton**, **Carol Mon Lee**, **Anne Lopez**, **Marianita Lopez**, **Andrea Low**, **Sheryl Nicholson**, **Elizabeth Robinson** and **Nancy Youngren**.

Summer 2008...Volunteers enjoyed an **Ice Cream Social** complete with SoapBox, Free Speech Wall and prizes! Many thanks to **Dave's Hawaiian Ice Cream** and **Danny Balatao** for donating chocolate, vanilla and mango ice creams for the event. Delicious! Many thanks also to the team of volunteers who helped do everything from prepare and mail the invitations to scooping the ice cream: **Norman Bode**, **Wayne Faris**, **Karen Lee**, **Nancy Timko**, and tireless ice cream scoopers **Mark Ewald** and **Rick Heyd**...The Amicus Campaign descended on the Anthology (formerly QMark) calling center for a session of intensive and competitive fundraising. Many thanks to board member **Barbara Ankersmit** and her excellent staff for their kokua.

The ACLU 2008 Membership Conference was a blast! Hawaii had one of its largest delegations ever, and visited all four of our Congress members on the Hill! Mahalo to the Hawaii attendees: **Marianita Lopez**, **Jory Watland**, **Jeff Hong**, **Roger**

Fonseca and **Mark Ewald**...Some great interns joined the team for the summer. Much aloha to **Joe Harrington** and **Jennifer Dasteel** interning with the Legal Department, and to **Kaitlin Koga** interning with the Public Education Department focusing on youth issues...Youth rights were the topic for a recent speech by Hawaii Island board member **Barbara Franklin**, speaking to members of the **Hilo Teen Court**.



ACLU Hawaii in D.C. I-r, back row: Jory Watland, Kit Grant, Mark Ewald, Roger Fonseca. I-r, front row: Laurie Temple, Senator Daniel Akaka, Vanessa Chong, Marianita Lopez



Freedom Fighters, Assemble! 2008 Summer Interns: I-r: Joe Harrington, Kaitlin Koga, Jennifer Dasteel

Class-Action Lawsuit Settled

Homeless keiki to have equal access to public schools (Kaleuati et al v. Tonda)

HONOLULU – U.S. District Court Chief Judge **Helen Gillmor** approved a settlement agreement in a case brought by a statewide class of homeless children and their parents against the Hawaii Department of Education ("DOE") and Board of Education ("Board"). The settlement requires the State to provide homeless children with equal access to public education and remove barriers to their educational success. The lawsuit, *Kaleuati v. Tonda*, was filed in federal district court in October 2007 by **Lawyers for Equal Justice**, the **American Civil Liberties Union of Hawaii Foundation**, and the law firm **Alston Hunt Floyd & Ing**. After a series of victories by the Plaintiffs, the Board and DOE chose to settle the case when faced with additional court hearings.

Under additional provisions of the settlement, the DOE shall:

- Hire additional homeless liaisons on each island to assist homeless families in navigating the public school system;
- Inform homeless children and families of their rights under the

McKinney-Vento Act (most notably, a child's right to remain in her or his current school – and receive transportation to that school – even if the family moves outside of the school district in search of shelter);

- Conduct yearly trainings of school personnel, and make annual site visits to schools and homeless shelters statewide;
- Modify its enrollment forms and computer systems to facilitate the enrollment process and improve attendance for homeless children; and
- Take affirmative steps to avoid stigmatizing homeless families.

Read more about the decision, and the full press release online: <http://www.acluhawaii.org>