



# Highlights • 45<sup>th</sup> Anniversary 2010

The ACLU of Hawai'i (ACLU) has come a long way since its humble beginning in 1965! What started out as a small group of committed civil libertarians has grown to a professional staff, nearly 100 volunteers working statewide and over 2400 supporters.

In the last 45 years, ACLU has been involved in a wide range of issues, fulfilling its mission of protecting fundamental rights for all people via the courts, legislature and public forum. Highlights below show that the struggle to secure personal freedoms never stays won and eternal vigilance is the price of liberty.

## 1965 TO 1970s:

**Disability Rights.** Represented blind applicant denied employment at community college.

**Free Speech.** Supported public workers arrested during peaceful protest against program layoffs; Challenged DOE attempts to fire two employees who criticized non-compliance with affirmative action policy.

**Freedom of Religion.** Represented Native Hawaiian woman who ran halau from her home offering free dissemination of native culture and religion who was charged with violating zoning ordinance.

**LGBT Equality.** Represented neighbor island resident denied re-employment as lecturer by community college based on perceived sexual orientation.

**Media Shield.** Intervened to support journalists' right to refuse to reveal sources.

**Parental Rights.** Obtained court judgment that parents have constitutional right to give their child any name they choose which invalidated state statute requiring them to give child father's surname.

**Search and Seizure at Rock Concerts.** Fought Honolulu City and County search policy of patrons attending rock concerts at Blaisdell Center and Waikiki Shell.

**Women's Equality.** Negotiated end to spousal consent requirement for sterilization operation at major local hospital; Invalidated height limitations for women police officers; Challenged Navy policy of excluding women from training, job assignments and sea duty.

## 1980s:

**Free Speech.** Represented protestors who entered military base to distribute anti-war pamphlets during open house.

**Immigrant Rights.** Supported children of undocumented aliens denied public assistance based on the status of their parents; Criticized INS use of subpoenas to employers of aliens to produce employee information on individuals of Tongan and Samoan ancestry.

**Death Penalty & Privacy.** ACLU coalition defeated bills to reinstate death penalty. Pioneered laws on patient privacy and AIDS and HIV status, informed consent and testing.

**Prison Reform.** Challenged conditions and practices at two O'ahu prisons, leading to 15-year federal oversight ending 1998; Assisted legislature by proposing juvenile justice reforms for Hawaii Youth Correctional Facility (HYCF).

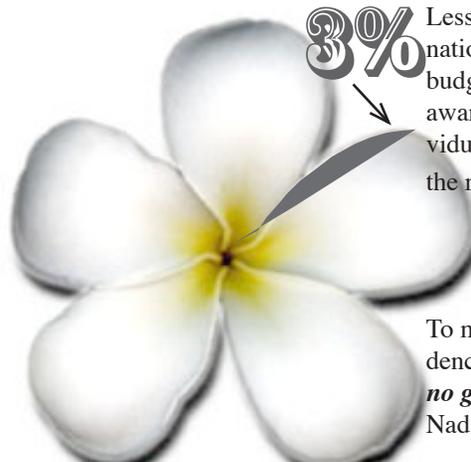
**Racial Justice.** Filed lawsuit to stop Immigration and Naturalization Service (INS) from singling out Iranian students for special scrutiny and deportation (American hostages taken in Tehran led to US government nationwide round up of Iranian students); Represented African-American military officer demoted after complaining of race discrimination in his squadron; Challenged Waikiki nightclub's systematic denial of entrance to black military

**3%** Less than 3% of ACLU's personnel nationwide operating budget comes from legal awards. Private & individual donations make up the rest.

**Reproductive Freedom.** Several cases supported State's right to dispense contraceptives to minors without parental permission.

**0%**

To maintain our independence, the ACLU accepts **no government funding.** Nada!



## 1990s

### Davis Levin First Amendment Conference Launched.

National experts debated hot issues. Speakers included U.S. Supreme Court Justice Antonin Scalia, Ralph Reed of Christian Coalition and federal independent prosecutor Ken Starr.

LGBT Equality. Groundbreaking community work nearly entire decade to secure support for marriage equality. Focused efforts on coalition building & voter education.

Prisoner Rights. Represented female inmates who alleged sexual abuse by male guards and advocated for sex abuse treatments and prevention programs.

Multilingual Outreach. At request of Native Hawaiian community, published Hawaiian-English Right to Protest marking 100th anniversary of overthrow of Hawaiian kingdom (over 15,000 copies distributed).

Religious Freedom. Supported right of neighbor island church to keep up its religious sign; Intervened on behalf of believers who sought access to sacred sites in Halawa Valley for religious and cultural practices.

Reproductive Freedom. Opposed Guam law banning abortions using extensive coalition building, rallies and vigils at State Capitol.

## 2000s

Artistic Expression. Represented artist whose work was banned from City and County Honolulu exhibit because it depicted a nude woman on a crucifix, the artist's interpretation of the sacrifice women are called upon to make.

Children's Rights. Suit against Dept. of Education for failure to provide educational services to homeless children. \*\*CURRENT\*\* Continued monitoring to implement settlement agreement.

Criminal Justice. On behalf of hundreds of defendants, challenged state's illegal practice of confining individuals acquitted by the courts; \*\*CURRENT\*\* Filed supporting briefs in cases challenging state's disregard of sentencing laws leading to routine over-detention of inmates.

Drug Policy Reform. Opposed use of drug-sniffing dogs in public schools; opposed implementation of random drug testing of Hawaii's educators. \*\*CURRENT\*\* Ready to file suit should the State proceed with its proposed random drug-testing program of public school teachers.

Free Speech. Represented neighbor island retired police officer who criticized public officials about police promotion practices; Battled sweeping restrictions on marches on public streets and gatherings in public parks to keep protestors away from Convention Center during Asian Development Bank conference; Challenged City ordinance limiting street performers' right to use Waikiki sidewalks. \*\*CURRENT\*\* Monitoring preparation & preparing response for APEC Conference 2011.

Juvenile Justice. Pushed for reform at Hawaii Youth Correctional Facility (HYCF) on legislative and legal fronts. Led to federal DOJ investigation of HYCF and landmark case to end harassment & brutality against LGBT wards.

Increased Legislative Vigilance. Testifying on nearly 100 bills each session including proposals to criminalize homelessness, erode judicial independence, restrict reproductive freedom and diminish privacy.

LGBT Equality. Multiple lawsuits challenged exclusion of gay and lesbian groups from public events co-sponsored by City and religious organizations and which also promoted particular religious viewpoint; Intervened on behalf of youth who wanted to start first public high school Gay Straight Alliance. \*\* CURRENT \*\* Preparing lawsuit to obtain equal rights and benefits for same-sex couples.

Media Shield. Protected filmmaker's right to protect his sources.

Public Education. Hawaiian-English Right to Protest brochures again requested in response to court decision permitting non-Hawaiians to vote in Office of Hawaiian Affairs trustee election.

Voting Rights. Several cases challenged Legislature's failure to follow required procedures when adopting constitutional amendments.

