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**HB354 RELATING TO CIVIL UNIONS**

**Position – Strong Support**

COMMITTEE ON JUDICIARY

Rep. Tommy Waters, Chair

Rep. Blake Oshiro, Vice Chair

Tuesday, February 27, 2007

5:00 PM, Room 325

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As a civil rights attorney, education advocate and foster parent, I stand in full support of HB908, legalizing civil unions in the State of Hawaii.

From a civil rights perspective, it is always shocking when those in the majority, feel no shame in preventing minorities from accessing the very same rights they enjoy. Whether the justification is based on tradition, fear or religious fanaticism - it is wrong. It is wrong to perpetuate inequality and injustice on a minority group simply because one has the power to do so.

We can recall images from our country's last civil rights movement, and see three faces of the power majority: there were heroes, haters, and cowards. The heroes were whites who walked in solidarity with African Americans as they marched toward equality. The haters screamed at black students getting off the buses at desegregated schools. The cowards stood by quietly, not lifting a finger to help make right what in their hearts they knew was bigotry. The cowards reassured themselves that change would happen eventually; at the very least it gave them an opportunity to appreciate their white privileges.

What role would you have played in that civil rights movement: would you have been a hero, a hater, or a coward? And how about this time? How will you want to be remembered when your children, nieces, nephews, grandchildren look back at this current civil rights movement? Will you be able to proudly state that you supported equality at the risk of not being popular or will you lower your head and excuse the bigotry by saying, "it just wasn't the right time"?

HB908 will not simply remedy the gender-based inequality of our current marriage law, it will also redress its inherent economic injustices. One legislator recently asked, "couldn't you obtain most of these rights through alternate legal mechanisms". The answer: Those who can afford 100's of thousands of dollars in legal fees could construct documents, contracts, estate plans, etc., that would convey some, not all, of the 400 rights granted through a marriage license or civil union. The reality is that our government is imposing an undue economic hardship on one group of citizens because they love someone of the wrong gender. In the alternative, the State of Hawaii is offering public entitlements and benefits to opposite-gender couples. This means that the State of Hawaii is funding a welfare program just for heterosexuals.

As an advocate for our public schools, I find myself trying to understand the discrepancies between the rules we apply to students and the laws we apply to citizens. We tell our students it is wrong to discriminate against other students based on gender or sexual orientation; we even consequence offenders with

detention or suspension depending on the severity of the discriminatory acts. However, our own State discriminates on the basis of gender and sexual orientation when denying equal rights to families in same-gender relationships. What schizophrenic messages are we teaching our students? Does our discriminatory marriage-only law undermine the lessons of equality and fairness we are trying to teach our students?

As a foster parent to young people who have so many odds stacked against them, I try to build their sense of self-worth so that they will be empowered to make healthy choices. I want them to know that they deserve all the goodness the world has to offer. I am sure those of you who are parents want this for all of your children, regardless of what their gender or sexual orientation may be. As parents we want to make sure that our children value themselves in a way that they build healthy, respectful, loving relationships.

What does it say to our gay and lesbian children when they see their relationships and future families being disparaged by our laws? This message is wrong and mean-spirited. The children I care for have had way too many hurtful messages shouted at them in their short lives, and as a protective parent I resent lawmakers sending my children the message that they are worth less in our society just because they are gay.

In closing, I want to return to the examination of America's last civil rights movement. Ms. Rosa Parks refused to ride in the back of the bus and we understood then that separate is not equal. In our current equal rights movement, if marriage were a bus, our Rosa Parks would be sprawled out on the sidewalk. In this fight for equality, the other passengers are kicking our Rosa Parks to the curb after collecting her bus fare. Today, you are the bus driver, and you have the power do what is right. You can protect us from those bigoted passengers, and you can let us on the bus. Apparently we are even willing to sit in the back of the bus behind the sign marked "civil unions".